



Gender Equality Scheme Research

Scottish Legal Aid Board

Final Report

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1 Melville Park, Edinburgh, EH28 8PJ

PH: 44(0)131 335 3700 FX 44(0)131 333 1033

admin@blakestevenson.co.uk www.blakestevenson.co.uk

Crane House, 19 Apex Business Park, Annitsford, Newcastle Upon Tyne, NE23 7BF

PH: 44(0)0191 250 1969 FX: 44(0)191 250 2563

Directors: Norma Hurley, Pamela Reid, Glenys Watt

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1 Introduction

Background

- 1.1 The Scottish Legal Aid Board (SLAB) is developing a Gender Equality Scheme in line with the requirements of the Gender Equality Duty, which came into force in April 2007. The Scheme will set out how the Board will promote equality and will ensure that the Board's policies and processes reflect the differing needs of men and women.
- 1.2 To inform the development of the Scheme, Blake Stevenson was commissioned to conduct research and gather opinions on gender equalities issues from previous applicants of legal aid, non-applicants, and solicitors.
- 1.3 This initial research will be used as evidence to inform the scheme and assist SLAB in the following areas:
 - to gain a better understanding of whether gender equality issues exist through the work of SLAB/within the legal aid system as a whole;
 - to establish where SLAB needs to address gender equality issues by identifying perceptions and experiences of the legal aid system and barriers to it in relation to inequality; and
 - to identify actions it can undertake in order to address these issues.

Gender Equality Duty

- 1.4 The Gender Duty requires public authorities to promote gender equality¹ and eliminate sex discrimination. Instead of depending on individuals making complaints about sex discrimination, the Duty places the legal responsibility on public authorities to demonstrate that they treat men and women fairly. Women and men, and boys and girls, have different needs from public services and access them in a range of different ways. The aim of the Duty is to ensure that there are better services for all and that they are designed flexibly to meet these different needs.
- 1.5 The Duty will apply to every public authority, for example hospitals, police authorities and central government departments.

¹ Both sexes suffer from stereotyping of their roles and needs. Gender equality is not about treating men and women the same, it is about recognising different needs and experiences, removing barriers and achieving positive change.

- 1.6 Public service providers will have to demonstrate that they plan and develop their services with the different needs of women and men in mind to ensure they comply with the Duty. They are required to set out their gender equality objectives and actions in their Gender Equality Scheme². This process requires consultation with their service users.
- 1.7 Public services will then have to adjust their services to ensure they meet goals set out in their Gender Scheme. The Duty should mean that women and men will get services that are more closely tailored to meet their needs. Public services will benefit from embracing the scheme by broadening their understanding of what women and men need from their services, by improving customer satisfaction by tailoring services to actual needs, and by increasing efficiency of the services they provide.

Methods

- 1.8 To gather information to support the development of the Board's equality scheme, research was conducted with civil and criminal legal aid solicitors, legal aid applicants, and the general public.

Telephone Interviews with Solicitors

- 1.9 To identify solicitors to take part in the research, we were provided with a database containing details of civil legal aid and criminal legal aid firms, which have the highest volume of caseload over the last six years.
- 1.10 Potential participants were selected according to whether they were involved in civil or criminal legal aid work, type of case specialisms, gender, and years spent practicing legal aid to ensure that we gathered views based on the differing experiences and backgrounds of the individual solicitors.
- 1.11 A total of eight telephone interviews were undertaken: six civil legal aid solicitors and two criminal legal aid solicitors were interviewed. A profile of solicitors who participated in the research is attached at Appendix 1.
- 1.12 In advance of each interview and to inform the discussion, solicitors were sent a background sheet explaining SLAB's nine areas of work. A copy of the background sheet is attached at Appendix 2.
- 1.13 Interviewees were asked a series of questions in relation to the legal aid system, Scottish Legal Aid Board and gender equalities

² Gender Equality Scheme – put in place by an organisation to set out their goals including tasks, timescales and individual(s) responsible for delivery.

issues. A copy of the telephone interview schedule is provided at Appendix 3.

Focus Group with Legal Aid Applicants

- 1.14 Due to the numbers of leads available, a decision was made to hold the focus group in Glasgow. We were provided with a database of legal aid applicants who were from the Glasgow area and who had some level of contact with the legal aid system in the previous eight months. From this, we identified a sample of potential participants representing differing backgrounds and experiences. Participants were selected according to gender, application status (accepted applicants (special urgency and non-special urgency cases) and rejected applicants), ethnicity, disability, childcare responsibilities and area of residence (mix of areas across the city and the surrounding area).
- 1.15 In addition to the information included in the sample (gender, age and place of residence), focus group participants were asked to complete a questionnaire gathering demographic details. A copy of the questionnaire is attached at Appendix 4 and a profile of the applicant focus group participants is attached at Appendix 5.
- 1.16 Due to the small sample size within this study, it is not possible to draw any meaningful conclusions or comparisons from the demographic information gathered.
- 1.17 Background sheets explaining SLAB's areas of work and the Board's Part V Projects were distributed to participants at the start of the focus group and referred to during the discussion. Participants were asked a series of questions in relation to their awareness of SLAB, and the legal aid system and gender equality. A copy of the focus group schedule is attached at Appendix 6 and a copy of the background sheet explaining the Board's Part V Projects is attached at Appendix 7.

Focus Group with the General Public

- 1.18 We organised and facilitated a focus group with members of the general public who were not previous applicants of legal aid and who may or not have had familiarity with the Board. This focus group was also held in Glasgow so that we could compare the views of members of the general public with that of applicants in the same area. Participants were recruited directly by Blake Stevenson and drawn from a range of sources and included employees from Glasgow City Council, and individuals from projects and agencies Blake Stevenson works with. Participants were selected to provide a range of individuals with different gender, ethnicity and employment status.

- 1.19 As with the focus group with applicants, participants of the general public focus group were asked to complete the demographic questionnaire. A profile of the general public focus group participants is attached at Appendix 8.
- 1.20 The general public focus group participants were also provided with copies of background sheets explaining SLAB's areas of work and the Board's Part V Projects and during the group were asked questions relating to their understanding of SLAB and the legal aid system and gender equality. A copy of the focus group schedule is attached at Appendix 9.

2 Summary

2.1 This chapter provides a summary of the research findings and is set out under the following headings:

- Awareness and understanding of the Scottish Legal Aid Board and the Legal Aid System
- Gender Issues, the Scottish Legal Aid Board and the Legal Aid System

Awareness and Understanding of the Scottish Legal Aid Board and the Legal Aid System

- The study found that there was generally good awareness of the Scottish Legal Aid Board and of the SLAB badge among the general public and applicants.
- There was limited awareness of SLAB's specific areas of work.

Gender Issues, the Scottish Legal Aid Board and the Legal Aid System

- On the whole, participants understood gender equality as equal rights and access for men and women to all services.
- Solicitors who took part in the research thought that the legal aid system as it currently stands treats men and women the same, regardless of gender.
- None of the research participants thought that men and women had different issues and priorities in relation to using legal aid services, however some participants thought that women can often be discriminated against indirectly and this is due to factors such as type of case, position in household, that is primary carer, or access to finances, for instance.
- There was consensus that men and women would not differ in terms of how they access legal aid services.
- Generally, research participants thought that gender should not dictate whether an applicant for legal aid is allowed a male or female solicitor but that applicants should be given a choice depending on the circumstances of their case.

- The research identified that the priority area of SLAB's work for men and women applying for legal aid is providing information about legal aid. None of the participants thought that any of SLAB's areas of work were more important or relevant to men and women.
- There was general agreement that legal aid information leaflets should be distributed wider and made available in locations such as local voluntary-run advice agencies, Jobcentres, libraries, Sheriff Court, police stations, medical centres, local day centres and on the internet.
- It was suggested that information on legal aid should be available in women-only centres and in different formats such as posters advertising the SLAB helpline and website for further information and support.
- All focus group participants supported SLAB's Part V programme and would like to see the scheme expanded to cover further vulnerable groups and geographical areas, including women-only projects, outreach services in GP surgeries, developing a network of solicitors and key intermediaries, and a community solicitor based in schools and communities.

3 Research Findings

3.1 This chapter reports on the research findings and is set out under the following headings:

- Awareness and understanding of the Scottish Legal Aid Board and the Legal Aid System.
- Gender Issues, Scottish Legal Aid Board and the Legal Aid System
- Future Developments

Awareness and Understanding of the Scottish Legal Aid Board and the Legal Aid System: General Public and Applicants

3.2 Focus group participants were asked about their awareness of the Scottish Legal Aid Board and the Legal Aid System, and about their understanding of the system and the services provided by the Board.

3.3 All focus group participants immediately recognised the SLAB badge from high street solicitor's windows. Participants from the applicants focus group reported that they had also come across the SLAB badge in libraries and doctors surgeries.

3.4 For some participants of both the general public focus group and the applicants focus group, the SLAB logo signified free legal advice, quality and regulation. One participant of the general public focus group said that the logo suggests '*a lawyer with a conscience*'; another said that this logo indicated an '*opportunistic*' lawyer.

3.5 A participant from the applicants group commented that the badge represented someone talking to their solicitor and another thought it indicated they thought it meant the firm was recognised as a good solicitor, that is, that it represented a type of quality standard. It was apparent that although participants recognised the badge they did not necessarily understand what it meant in terms of services provided by SLAB and its meaning was interpreted in different ways.

3.6 The general public participants reported that they had limited knowledge of the services provided by the Scottish Legal Aid Board. They understood the Board to have responsibility for checking eligibility for legal aid but were unsure of the type of areas or

clients qualifying for legal aid. These participants understood that decisions were based on the type of case and the applicant's income. For example, a male participant commented that the amount of legal aid received depends on what people earn "the higher the earnings the higher you pay the lawyers". Another participant commented that their lawyer had firstly advised them that they might not be entitled to legal aid because their income was too high; however, it was granted at a later stage.

- 3.7 The majority of applicant participants believed that SLAB was responsible for providing financial support to people unable to afford private legal assistance. For some participants their perception was that legal aid solicitors primarily provided advocacy services in Court and there was general understanding that financial contributions to be made by the applicant are dependent on their income.
- 3.8 The majority of participants in the general public focus group said they would approach a lawyer directly and would base their choice of lawyer on recommendations from family and/or friends. Other participants would approach law firms displaying the SLAB badge.
- 3.9 The majority of applicants of legal aid participating in the focus group suggested that they had little to no knowledge of the legal aid system prior to applying for legal aid. Most based their understanding of the system on their own experiences of the legal aid process.
- 3.10 All but one had approached a solicitor directly for legal advice, one person had approached their employer for advice. All participants were advised by each of these contacts to apply for legal aid.

Gender Issues, the Scottish Legal Aid Board and the Legal Aid System

- 3.11 Focus group participants and solicitors were asked questions in relation to gender equality, discrimination (positive and negative) and the Scottish Legal Aid system.
- 3.12 None of the participants of the applicants focus group thought that men and women had different issues and priorities in relation to using legal aid services. There was however, a belief that compared to men, women are less likely to be in a stable financial situation because of working patterns, career/job roles and family commitments, and are therefore more likely to have a greater need for legal aid support. This view was supported by solicitors.
- 3.13 There was limited comment from participants in the applicants focus group around the meaning of the term 'gender equality' with

one participant commenting that it meant that people deserve to be treated the same. Another participant commented that each case should be treated on an individual basis according to circumstances rather than taking gender or age into account. There was a broader understanding of the term amongst the general public participants, for example, participants thought the term meant “ensuring inclusion” and “everybody in society has equal rights”.

- 3.14 There was a consensus among those solicitors who reported an understanding, that gender equality denotes equal rights and access for men and women to all services. Two solicitors added that men and women may have different needs and should not be discriminated against because of gender. Two of the solicitors who took part in the research reported that they were unaware of the term ‘gender equality’ and had limited understanding of its meaning. One of the solicitors commented that they had not heard the term until the interview and another reported that “gender equalities is not an issue in our firm, we have a 50:50 male/female split”.
- 3.15 All solicitors said that the legal aid system (as it currently stands) treats men and women the same whether as applicants, SLAB staff or solicitors. The majority of solicitors did not believe that men and women should be treated differently and the system should consider cases on their own merit rather than gender. Further, other factors should be considered including whether a client has learning difficulties.
- 3.16 Three solicitors reported that women are often in a more vulnerable position than men because of the type of case, their position in the household in that they are often the primary carer. As a result they may have a greater need to apply for legal aid, one solicitor commented that “not deliberately, financial circumstances do mean that men and women are treated differently as many women are not working, or are working part-time bringing up children, males can therefore afford to pay for legal assistance”.
- 3.17 The majority of solicitors did not think they as a male/female solicitor or any of their male/female clients had any particularly positive or negative experiences with SLAB in relation to gender differences. One solicitor however reported on an example in a domestic violence case, where their female client did not want her address released to her ex-partner, who would be her opponent in the case. Although the incidence of these requests is very small (around 6 in any year), the Board will respect the wishes of the applicant, by not disclosing the address of the opponent.
- 3.18 There was consensus that men and women would not differ in terms of how they would access legal aid.

- 3.19 There was mixed opinion when focus group participants were asked to consider if an applicant's sex should dictate whether they should be allowed a male or female solicitor.
- 3.20 On the whole, participants of both focus groups thought that sex should not dictate whether an applicant is allowed a male or female solicitor; however, there was consensus among this group that applicants should be given a choice depending on the circumstances of their case. A particular example of a case, which should qualify for such a choice, included domestic abuse/violence perpetrated by a member of the opposite sex. It was suggested that this choice should be made available to both victims and those accused of committing such crimes.
- 3.21 Two participants agreed that all applicants should be able to choose a solicitor but thought that this choice should be based on abilities and services provided.
- 3.22 One participant of the general public focus group argued that legal aid applicants should not be given the opportunity to choose a solicitor. These participants believed that if applicants could choose a solicitor based on gender, applicants should also be allowed to base their choice on other factors such as ethnicity. It was argued that such a system would not create equality but discrimination against law practitioners.

Scottish Legal Aid Board Services – Priority Areas and Gender Equality

- 3.23 In considering the needs of, and barriers for, men and women in relation to the legal aid system, all research participants were asked to consider the following nine areas of SLAB's work and identify those services that they thought were the most important to men and women applying for legal aid:
- A: providing information about legal aid;
 - B: registering and checking providers of legal aid;
 - C: checking whether people are eligible for legal aid;
 - D: administering the legal aid fund;
 - E: providing legal assistance by employing solicitors;
 - F: managing the 'duty solicitor' scheme;
 - G: recruiting and employing people;

- H: providing corporate functions internally;
- I: providing advice to government and others on how legal aid is working.

Solicitors

- 3.24 Some solicitors found it difficult to identify particular areas of SLAB's work, which would be most important to men and women applying for legal aid. One solicitor selected areas that had the most impact on their role as a solicitor, rather than from their client's perspective. Another commented that the general public do not understand the legal aid system and simply want to know if they are eligible or not. This solicitor commented that men and women would only be interested in the Scottish Legal Aid Board administering the legal aid fund (D) rather than any other areas of work.
- 3.25 In summary, of the solicitors who did respond to this question, six identified priority areas as being: providing information about legal aid (A) and checking whether people are eligible for legal aid (C). Five solicitors selected administering the legal aid fund (D), and three selected registering and checking providers of legal aid (B) as priority areas.
- 3.26 Areas of work identified as being less important to men and women applying for legal aid were providing legal assistance by employing solicitors (E) and providing advice to government and others on how legal aid is working (I), which were both selected by two solicitors.
- 3.27 None of the solicitors interviewed thought that recruiting and employing people (G) and providing corporate functions internally (H) were important to men and women applying for legal aid.

Focus Groups

- 3.28 For focus group participants, the main area of importance was similar to that suggested by solicitors - providing information about legal aid (A). For applicants and the general public, the importance of this area of work is of equal importance to registering and checking providers of legal aid (B), but this area is viewed as less important by solicitors. Interestingly, none of the applicant focus group participants viewed checking whether people are eligible for legal aid (C) to be an important priority area of work, whereas solicitors and members of the general public believed this to be one of the priority areas for applicants of legal aid.

- 3.29 In addition, the general public focus group viewed managing the duty solicitor scheme (F) to be an important area for men and women applying for legal aid. For applicants, an additional priority area was providing legal assistance by employing solicitors (E).
- 3.30 Neither solicitors nor focus group participants thought that any of the services identified as priority areas, or indeed any of SLAB's areas of work, were more important or relevant to men or women or that any of these services could be more effectively delivered as men-only or women-only. All agreed that this is reflected in their understanding that men's and women's priorities, needs and requirements in relation to legal aid services do not differ.

Importance of Priority Area – Provision of Information about Legal Aid

- 3.31 There was general agreement among solicitors and focus group participants that the most important area of work for men and women applying for legal aid is providing information about legal aid.
- 3.32 Providing information about legal aid is a service provided by SLAB to solicitors, applicants for legal aid and the general public. Solicitors report that the legal aid system can be complicated and that information materials provided by SLAB are a useful resource to both solicitors and applicants, as is having SLAB advisors on hand to answer any queries.
- 3.33 Examples of SLAB information materials were distributed in focus groups and participants were asked to comment on the effectiveness of these publications. All participants agreed that these information leaflets were useful, particularly to new applicants of legal aid but was also a helpful ongoing reference for people further engaged in the legal aid system.
- 3.34 All participants agreed that leaflets were useful to first time applicants in fostering confidence to approach a lawyer. There was consensus that having such leaflets as a reference for legal aid applicants would give them more confidence and make them feel less vulnerable applying for legal aid. However, one participant from the applicants focus group was concerned about the level of information and number of leaflets available and thought that too much information would discourage people from applying for legal aid.
- 3.35 A participant of the general public focus group was particularly impressed that these leaflets were endorsed by the Plain Language Commission and thought that over-complicated materials or

resources full of legal jargon would confuse and discourage people from applying for legal aid.

- 3.36 Focus group participants thought that these information leaflets should be made more widely available and suggested that they should be distributed to local voluntary-run advice agencies, Jobcentres, libraries, Sheriff Court, police stations, medical surgeries and local day centres. Other formats were also suggested and these included the internet, particularly as a resource for younger people, and employee assistance schemes.
- 3.37 Although there was consensus that there were no areas of SLAB's work that were more important or relevant to men or women, female applicants suggested that women are often more pro-active than men in seeking information and suggested that materials and information on legal aid assistance should be made available in locations or projects that women are more likely to frequent, including mother and toddler groups, schools and women-only projects such as Women's Aid. No participants suggested that information should be made available in men-only projects.
- 3.38 Information on legal aid should also be made available in different formats, particularly for the benefit of vulnerable groups such as women/men experiencing domestic abuse. Examples of formats include posters advertising the SLAB helpline or website, placed in projects such as those suggested above, rather than leaflets which clearly suggest that the holder of the material has an interest in legal aid.

SLAB Services – Part V Projects

- 3.39 Focus group participants were asked to comment on the Part V Projects funded by SLAB. Part V Projects aim to improve access to legal services for vulnerable people or particular groups, either through referrals to other solicitors or through providing legal services directly. There are five projects currently funded by SLAB and these are aimed at people in Fife with mental issues, people living in rural and island communities in the Highlands and Argyll and Bute, rough sleepers and young people in Edinburgh, and disabled people living in North and South Lanarkshire. A background to Part V projects is attached at Appendix 7.
- 3.40 Participants at each of the focus groups reported that they were impressed by the efforts of Part V Projects funded by SLAB and would like to see the scheme expanded to cover further vulnerable groups and geographical areas.
- 3.41 Although participants at the applicants focus group did not believe the nine areas of SLAB's services to be more important or relevant

to men or women, it was suggested that the Part V Projects should include women-only projects and an example of an ethnic minorities women's group was given. Other suggestions included outreach services in GP surgeries; developing a network of solicitors and key intermediaries in the community, for example GPs, various local authority departments, projects targeting vulnerable people to share information on the legal aid system, and a community solicitor based in schools and communities, particularly remote communities where time and travel are issues.

Future Developments

3.42 Although the majority of participants did not believe men and women to have different needs in relation to accessing legal aid, a number of suggestions were given (particularly in relation to accessing information and support) as to how SLAB can ensure that its Gender Equality Scheme meets the needs of men and women applying for legal aid. Suggested actions included:

- providing legal aid information leaflets in a variety of locations such as local voluntary-run advice agencies, Jobcentres, libraries, Sheriff Court, police stations, medical centres, local day centres and on the internet;
- providing information on legal aid directly to women via women-only centres and in different formats such as posters advertising the SLAB helpline and website for further information and support; and
- expanding SLAB's Part V programme to cover further vulnerable groups and geographical areas, including women-only projects, outreach services in GP surgeries, developing a network of solicitors and key intermediaries, and a community solicitor based in schools and communities.

Profile of Solicitors

Interview No.	Gender	Position in Firm	Location of Firm	Type of Cases	Whether works with mainly men or women
1	Male	Partner	Dundee	Civil and Family Law	broad range of men and women
2	Female	Associate Solicitor	Glasgow	All civil – mental health project	More women than men 60:40
3	Male	Director	Paisley	Mainly Civil and Family Law	Equally spread
4	Female	Assistant Solicitor	Edinburgh	Civil – most family, some employment, personal injury	Equally split
5	Male	Senior Partner	Hamilton	Civil and Criminal	Equal
6	Male	Partner	Dumfries	Criminal	More males
7	Female	Partner	Dumfries	Civil	Equal split
8	Male	Senior Court Partner	Livingston	Exclusively Family Law	Mainly females

Appendix 2

Background Information Sheet for Interviews

Scottish Legal Aid Board – Background Sheet

The Scottish Legal Aid Board is in the process of developing its Gender Equality Scheme. To inform the scheme, the Board aims to consult with a range of stakeholders, including solicitors, applicants and members of the general public.

The Scottish Legal Aid Board would like your help in selecting which of these areas are most important to men and women applying for legal aid.

This might mean that you think the Board should look at these areas first, or that these are the ones that the Board should do most about.

The Scottish Legal Aid Board's areas of work are:

A. Provide information about legal aid.

This includes information for solicitors, applicants for legal aid and the general public. Leaflets, a telephone helpline, the annual report and a newsletter for solicitors are some of the ways the Scottish Legal Aid Board provides information.

B. Register and check providers of legal aid.

Register solicitors who do legal aid work, and undertake regular checks to make sure it is being done properly.

C. Check whether people are eligible for legal aid.

Look at the financial situation of applicants, and whether there is a legal basis for the work they want a solicitor to do.

D. Administer the legal aid fund.

This includes making payments to solicitors and getting back money that is owed to the Scottish Legal Aid Board.

E. Provide legal assistance, by employing solicitors.

The Scottish Legal Aid Board employs some solicitors to provide legal assistance. This is a new scheme. We hope it will make it easier for people to find solicitors to do the work they want.

F. Manage the 'duty solicitor' scheme.

The 'duty solicitor' scheme means that a legal aid solicitor is available at all times in criminal courts.

G. Recruit and employ people.

As an employer the Scottish Legal Aid Board has to recruit new staff, develop and train existing staff and manage pay and other conditions (eg pension).

H. Provide 'corporate functions' internally.

Corporate functions include Information Systems, building management and so on. They enable other staff to do their work.

I. Provide advice to Government and others on how legal aid is working.

This includes research and financial reporting. It may result in changes to how legal aid is run.

Appendix 3

Telephone Interview Schedule for Solicitors

Scottish Legal Aid Board - Gender Equalities Research

Introduction to research

The Scottish Legal Aid Board is developing a Gender Equality Scheme. The Scheme will provide guidelines on how the Board will promote equality and will ensure that the Board's policies and processes reflect the differing needs of men and women.

To inform the development of the Board's Gender Equality Scheme, we have been asked to conduct research and gather opinions on gender equalities issues from previous applicants of legal aid, members of the general public, and solicitors.

I would like to ask you about your views on gender equality and the legal aid system.

General warm-up questions

- position in firm
- location of firm
- type of cases he/she works in
- length of time working in civil legal aid cases/criminal cases
- whether he/she works on behalf of mainly men or women.

Gender Equalities

1. What is your understanding of gender equality issues and how do you see them relating to your firm? (PROBE: **policies, procedures and practices**).
2. In your experience, do you feel that the legal aid system as it currently stands, treats men and women differently? If so, in what way? (**could be positive/negative experiences**). NOTE: **could relate to applicants, Scottish Legal Aid Board staff, solicitors, accused, opponents**).
3. Should the legal aid system treat men and women differently? If so, why? In what cases or areas of work? (**PROBE FOR POSITIVE DISCRIMINATION i.e. sensitive to the different needs of men and women and NEGATIVE DISCRIMINATION (where unfairness exists)**).

NOW REFER TO BACKGROUND SHEET SENT TO SOLICITOR IN ADVANCE OF INTERVIEW

4. Now looking at the nine areas of the Scottish Legal Aid Board's work (listed on the Background Sheet), which three do you think are most important to men and women applying for legal aid.
5. Are any of these areas (or aspects of them) more important or relevant to men and women who are applying for legal aid? If so, why?
6. Have you had any positive experiences with the Scottish Legal Aid Board in relation to gender differences? (probe: could be from the point of view of being a male/female **solicitor** or a male/female **client**).
7. Have you had any negative experiences with the Scottish Legal Aid Board in relation to gender differences? (probe: could be from the point of view of being a male/female **solicitor** or a male/female **client**).
8. Do you have any suggestions on how the Scottish Legal Aid Board could improve its functioning of the selected (most important) areas to meet the specific needs of men and women? (probe: in terms of policies and practices).
9. Is there anything else the Scottish Legal Aid Board should do to promote gender equality/fairness of service?
10. In your experience of working with the Board, do you think it compares favourably or unfavourably with other public sector organisations in the justice system (that you may have been in contact with) in relation to how it deals with gender related issues i.e. the Scottish Court Service, the police, the Prison Service, Crown Office & Procurator Fiscal Service. Why do you say that?

Appendix 4

Focus Group Questionnaire

Scottish Legal Aid Board – Gender Equalities Research

Demographics Questionnaire

In order that we gather the views of a cross section of people, we would like to ask you a few details about yourself.

Please tick (✓) all that apply.

Gender: male female

Ethnicity:

White Scottish
 White other
 Asian
 Chinese
 Black
 Other

Employment status:

Employed

If employed, please tick your occupational grouping:

Non manual

Professional, Senior Management
 Middle management executives, principal officers, owner of small
 businesses
 Junior management, owners of small establishments, and other non-
 manual positions

Manual

All skilled manual workers and those with responsibility for others
 All semi-skilled and un-skilled manual workers, apprentices and
 trainees to skilled workers



- Unemployed
- Full/part -time education
- Retired
- Other *Please state*
-

Do you have dependent children (up to age 16 years)? yes no

Do you have a disability or special need? yes no

Postcode (first three digits): _____

Thank you

Profile of Applicant Focus Group

Participant No.	Gender	Ethnicity	Employment Status and Occupational Grouping	Dependent Children (up to 16 years old)	Disability or Special Need	Postcode
1	Female	White Scottish	Short term sickness Income Support Occupational Grouping E	No	Yes	G69
2	Male	White Scottish	Unemployed Occupational Grouping E	No	No	G51
3	Female	White other	Employed Occupational Grouping B	Yes	No	G69
4	Female	White Scottish	Unemployed – Part time volunteer Occupational Grouping E	No	Yes	G69
5	Male	White Scottish	Full/part-time education	Yes	Yes	G40
6	Male	Other	Unemployed Occupational Grouping E	No	No	G4

Appendix 6

Applicant Focus Group Schedule

Scottish Legal Aid Board – Gender Equalities Research

Introduction

- Description of research and how the focus group data will contribute to it

The Scottish Legal Aid Board is developing a Gender Equality Scheme. The Scheme will provide guidelines on how the Board will promote equality and will ensure that the Board's policies and processes reflect the differing needs of men and women.

(Facilitator – expand here and give examples)

In developing the scheme, the Board has a duty to consult with both men and women and we are interested in gathering your opinions and any experiences that you or a friend/family member have had in applying for legal aid.

All information given will be treated in the strictest of confidence.

Ask for permission to record discussion.

- Round table introductions (name, what they do for a living, household details, where they live)

Equalities

1. What is your general understanding of 'equalities'?
Facilitator - treating everyone the same or recognising different needs?
2. Are there particular groups that you think this term applies to?
(race, disability, age, gender (inc gender reassignment), sexuality, religion, marital status)

Awareness of the Scottish Legal Aid Board

3. What is your understanding of the Scottish Legal Aid Board?

Facilitator – probe for areas of responsibility, client groups including type of problems experienced, process of legal aid etc.

4. How much contact have you had with the Scottish Legal Aid Board?
5. Could you tell me how you found out about legal aid and the Scottish Legal Aid Board? *(Facilitator - already aware of legal aid system – how? Found out through solicitor? Where in pathway?)*
6. Have you ever come across the Scottish Legal Aid Board/legal aid logo? Where did you first see the Scottish Legal Aid Board/legal aid logo? What does this logo mean to you?
7. Could you tell me about the process you went through in applying for and being granted legal aid? *(Facilitator – discussion to focus on technical aspects only e.g. application form, eligibility, contact with solicitor, timescales etc)*

Facilitator – Hand out SLAB information leaflets

8. Do you think these leaflets provide enough information for you to be able to get help and advice about your legal problem?
9. How should information like this, on accessing legal services be best made available? Would this vary for men and women? If so, why?
10. Is there anything missing that may be of use to men/women? If so, what in particular?

The Scottish Legal Aid System and Gender Equalities

Facilitator – explain that discrimination could be either positive or negative, i.e. encourage fairness through diversity or act as a barrier to accessing services

11. In your opinion, what are the different issues and priorities for women and men who use legal aid services? *(eg in relation to victims and offenders, young men are far more likely to be victims of crime than women, women commit less crime than men; the victims of domestic abuse are overwhelmingly female)*
12. Based on your experience, do you think that men and women in the legal aid system have different needs and requirements?

Facilitator - hand out background sheet and ask them to read it.

13. Of the nine areas of the Scottish Legal Aid Board's work listed on the Background sheet, which three do you think are most important to people applying for legal aid?

(Facilitator – agree 3-4 areas amongst group)

14. Are any of these areas (or aspects of them) more important or relevant to men or women? If so, which and why?

15. Are there any Board services which might be more effectively delivered as women-only or men-only?

16. Do you think that your sex should dictate whether you are allowed a male/female solicitor? Should you be entitled to choose whether to speak to a male/female solicitor? Why/why not?

17. Do you think the Board should monitor rates of male/female solicitors in the profession/providing types of law? Should they be encouraging more women into the profession/types of law? Would this be beneficial? Why?

Facilitator – give an introduction to Part V Projects funding and what it involves, give examples – any handouts?

18. Do you think these services are more important or relevant to men or women? Why?

19. Could these services be more effectively delivered as men-only or women-only? Please could you give examples.

20. Is there anything else the Scottish Legal Aid Board could do to make sure the different needs of men and women are taken into account?

Appendix 7

Part V Project Factsheet

The Scottish Legal Aid Board

44 Drumsheugh Gardens
Edinburgh EH3 7SW

Tel 0131 226 7061
Web: www.slab.org.uk



Part V Phase 2 Project Factsheet

The Part V projects aim to provide improved access to legal services for vulnerable people or groups with particular needs and, where appropriate, provide legal services directly to clients (rather than referring them on to other solicitors).

The projects are named after Part V of the Legal Aid (Scotland) Act 1986, which contains provisions for the employment of solicitors by the Scottish Legal Aid Board to give advice and assistance, to act for persons receiving legal aid or to work with local organisations. Following the successful evaluation of phase one, further funding from the Scottish Executive was granted in November 2005 to allow the Scottish Legal Aid Board to move onto phase two of the legal advice pilot projects. There are currently five projects being funded.

Amongst those who will benefit from the projects are people with mental health issues in Fife, people living in rural and island communities in the Highlands and Argyll and Bute, rough sleepers and young people in Edinburgh, and disabled people living in North and South Lanarkshire. The current projects are as follows:

Fife Rights Forum Project

This project will provide specialised legal advice and representation to mental health clients in Fife, including young people and children. The solicitor will provide legal training to advisors across the Fife Rights Forum Network and to local solicitors, as well as providing a secondary advice service to staff working across a range of advice-giving agencies. Fife Rights Forum is an established network of advice organisations including Citizens Advice and Rights Fife, Fife Advocacy and Fife Families Support Project.

Argyll and Bute Advice Network Project

This project will see the trial of various innovative methods of legal advice training and delivery, including video and telephone conferencing. The solicitor will provide support and training for advisors across the Network and handle remote casework to clients. The Advice Network includes Argyll and Bute Citizens Advice Bureau, Argyll and Bute Women's Aid, Argyll Council for Voluntary Services, Bute

Advice Centre, Lomond and Argyll Advocacy Service and the Mull and Iona Information Service.

Street Legal Project

Working with some of the most socially excluded people in the community, this project based at Streetwork UK will provide legal advice to young people and rough sleepers at risk on the streets of Edinburgh. The solicitor will also be responsible for the creation of a Virtual Law Centre focusing on social welfare law. This initiative will see the creation of a signed up pool of legal practices and advice agencies committed to improving access to services, encouraging appropriate referrals and increasing the likelihood of representation of individuals within this vulnerable and disenfranchised community.

Citizens Advice Scotland Project

Working out of the CAS office in Inverness, the solicitor will serve 10 of the bureaux (CABx) across the Highlands and Islands and will deliver a second tier advisory service through training and support for CAB advisors, enabling greater access to legal services for people living in rural areas. The solicitor will undertake direct casework for clients, focusing on employment law and will develop referral mechanisms between the 10 project CABx and local solicitors.

Disability Legal Advice Project

This project involves a Part V solicitor working with Citizens Advice Scotland, Capability Scotland, Update and the Disability Rights Commission and will improve access to legal advice for disabled people across North and South Lanarkshire. The solicitor will provide second tier advice to staff in local citizens advice bureaux and disability organisations, whilst also delivering specialist training on disability related legal issues to advisors and local solicitors.

Profile of General Public Focus Group

Participant No.	Gender	Ethnicity	Employment Status and Occupational Grouping	Dependent Children (up to 16 years old)	Disability or Special Need	Postcode
1	Female	Asian	Full/part-time education	Yes	No	G1
2	Female	White Scottish	Employed Occupational Grouping C1	Yes	No	PA2
3	Female	White Scottish	Employed Occupational Grouping C1	No	No	KA1
4	Female	White Scottish	Employed Occupational Grouping C1	No	No	G11
5	Male	White Scottish	Employed Occupational Grouping C2	No	No	G20
6	Male	White Scottish	Employed Occupational Grouping B	No	No	G42
7	Male	White Scottish	Employed Occupational Grouping C1	No	No	G2

Appendix 9

Scottish Legal Aid Board – Gender Equalities Research

General Public Focus Group Schedule

Introduction

- Description of research and how the focus group data will contribute to it

The Scottish Legal Aid Board runs the legal aid scheme for Scotland. Legal aid allows those who would not otherwise be able to afford it to get help with their legal problems.

(Facilitator – expand on this and give examples)

The Scottish Legal Aid Board is developing a Gender Equality Scheme. The Scheme will provide guidelines on how the Board will promote equality and will ensure that the Board's policies and processes reflect the differing needs of men and women.

(Facilitator – expand on this and give examples)

In developing the scheme, the Board has a duty to consult with both men and women and we are interested in gathering your opinions and any experiences that you or a friend/family member have had in applying for legal aid.

All information given will be treated in the strictest of confidence.

Ask for permission to record discussion.

- Round table introductions (name, what they do for a living, household details, where they live)

Equalities

1. What is your general understanding of 'equalities'?
Facilitator - treating everyone the same or recognising different needs?
2. Are there particular groups that you think this term applies to?
(race, disability, age, gender (inc gender reassignment), sexuality, religion, marital status)

Understanding of the Scottish Legal Aid Board

3. Are you aware of the Scottish Legal Aid Board and the legal aid system? Have you ever come across the Scottish Legal Aid Board/legal aid logo?
4. For those who are aware, how did you find out about the Scottish Legal Aid Board and legal aid? Where did you first see the Scottish Legal Aid Board/legal aid logo? What does this logo mean to you? What is your understanding of the Scottish Legal Aid Board and legal aid?
5. For those who are unaware, what do you think the Scottish Legal Aid Board does? What do you think legal aid is? *Facilitator – concentrate on what participants think SLAB do (already given a brief overview in introduction)*
6. If you needed help with a legal problem, where would you go? Would it vary if you are a man/woman? In what cases might it vary? What options for advice and assistance would you like to see provided?

Facilitator – Hand out SLAB information leaflets

7. Speaking as a man or woman (who one day might need legal advice), do you think these leaflets provide enough information for you to be able to get help and advice about your legal problem?
8. How should information like this, on accessing legal services be best made available? Would this vary for men and women? If so, why?
9. Is there anything missing that may be of use to men/women? If so, what in particular?

The Scottish Legal Aid Board and Gender Equality

To help the Scottish Legal Aid identify areas of their work where discrimination may exist between men and women, I'd like you to consider whether any gender issues could arise in each of the following areas of the Board's work.

Facilitator – explain that discrimination could be either positive or negative, i.e. encourage fairness through diversity or act as a barrier to accessing services

Scenario 1: Being charged with a crime and needing a solicitor to advise/defend you in court

10. Should your sex dictate whether you are allowed a male/female solicitor? Should you be given the choice of either a male/female solicitor? Why?/In what instances may you want to choose a male or female solicitor. (i.e. your sex, types of crime).

Scenario 2: Being a victim of domestic abuse

11. Should you be entitled to choose whether to speak to a male/female solicitor? Why/why not?

Facilitator - hand out background sheet and ask them to read it.

12. Of the nine areas of the Scottish Legal Aid Board's work listed on the Background sheet, do you think that any of these areas (or aspects of them) more important or relevant to men or women? If so, which and why?

Facilitator – give an introduction to Part V Projects funding and what it involves, give examples – any handouts?

13. Do you think these services are more important or relevant to men or women? Why?
14. Could these services be more effectively delivered as men-only or women-only? Please could you give examples.
15. Is there anything else the Scottish Legal Aid Board could do to make sure the different needs of men and women are taken into account?