

### 3. Civil legal assistance

#### Section notes

1. Figures for grants and refusals of applications do not necessarily equal numbers of applications, since decisions on applications received towards the end of one year may not be reached until the following year.
2. Unless otherwise stated, the 2010-2011 figures for accounts paid include VAT and were prepared on a cash basis.
3. In tables showing accounts paid, unless otherwise stated, outlays include all payments other than fees paid to solicitors and advocates - for example, expert witnesses.

#### 3.1 Intimations of civil advice and assistance by subject matter

Subject matter	2010-2011	2009-2010
Adults with incapacity	1,479	1,328
Aliment/Child Support Agency	977	1,183
Antisocial Behaviour Orders (ASBO)	338	346
Breach of contract	614	713
Children (Scotland) Act	2,304	2,328
Civil appeal	180	177
Complaints against professional bodies	606	699
Contact/parentage	14,196	13,981
Conveyancing	123	142
Criminal Injuries Compensation Authority	1,268	1,601
Discrimination	89	101
Divorce	6,771	7,420
Employment	1,903	2,257
Family/matrimonial - other	2,853	2,937
Hire purchase/debt	6,015	7,350
Housing	3,487	3,965
Human rights	373	96
Immigration and asylum	7,843	7,263
Interdict/non-harassment	4,552	5,166
Judicial review	1,095	762
Medical negligence	826	778
Mental health	1,059	1,122
Power of attorney	1,082	1,209
Property/monetary	287	325
Protective order	143	80
Recovery of heritable property	3,182	3,758
Reparation	4,608	5,764
Residence	3,000	2,959
Separation	4,844	5,059
State benefit	7,790	7,570
Wills/executry	2,577	2,742
Other	3,634	4,096
<b>Total civil advice and assistance</b>	<b>90,098</b>	<b>95,277</b>

**3.2 Intimations of civil ABWOR by subject matter**

Subject matter	2010-2011	2009-2010
Bankruptcy/petition by debtor	10	12
Employment tribunals	413	414
Immigration and asylum	1,773	1,696
Mental health	2,089	2,109
Sequestration	2	9
Other	44	40
<b>Total civil ABWOR</b>	<b>4,331</b>	<b>4,280</b>

**3.3 Increases in limit of authorised expenditure of civil advice and assistance and ABWOR**

Type	Applications for increase		Increases granted		Increases refused	
	2010-2011	2009-2010	2010-2011	2009-2010	2010-2011	2009-2010
Templated civil advice and assistance	46,360	46,889	45,674	46,168	412	402
Non-templated civil advice and assistance	28,900	28,668	23,185	25,280	3,304	2,172
Templated ABWOR	2,811	2,435	2,556	2,369	137	36
Non-templated ABWOR	4,738	4,772	4,331	4,589	154	74
<b>Total civil advice and assistance and ABWOR</b>	<b>82,809</b>	<b>82,764</b>	<b>75,746</b>	<b>78,406</b>	<b>4,007</b>	<b>2,684</b>

**Note**

1. These figures include decisions at first instance and decisions after reconsideration.

**3.4 Disposal of applications under regulation 16(3) (hardship provisions) of the Advice and Assistance (Scotland) Regulations 1996**

Type	Applications received	Applications granted	Total payments £000
Client claimed	295	51	17
Solicitor claimed	409	375	182
<b>2010-2011</b>	<b>704</b>	<b>426</b>	<b>199</b>
<b>2009-2010</b>	<b>725</b>	<b>321</b>	<b>157</b>

**3.5 Civil legal aid applications**

Subject matter	Sheriff court		Court of Session		Other courts		Total	
	2010-2011	2009-2010	2010-2011	2009-2010	2010-2011	2009-2010	2010-2011	2009-2010
Adults with incapacity	2,149	1,726	2	0	0	0	2,151	1,726
Appeals	207	201	86	118	41	36	334	355
Breach of contract	142	159	9	7	0	1	151	167
Contact/parentage	5,138	5,090	26	11	2	0	5,166	5,101
Debt	576	700	10	16	0	0	586	716
Discrimination	5	10	2	0	0	0	7	10
Divorce/separation	3,742	3,792	13	16	0	1	3,755	3,809
Family/matrimonial - other	927	917	55	55	4	2	986	974
Housing/recovery of heritable property	1,581	1,690	15	6	0	0	1,596	1,696
Immigration and asylum	1	0	515	427	1	2	517	429
Judicial review	5	4	271	201	0	0	276	205
Medical negligence	111	78	67	72	0	2	178	152
Property/monetary	698	609	9	5	1	0	708	614
Protective order	1,212	1,373	26	18	0	0	1,238	1,391
Reparation	725	1,863	125	198	0	0	850	2,061
Residence	1,887	1,722	5	9	1	0	1,893	1,731
Other	741	728	103	140	15	23	859	891
<b>Total</b>	<b>19,847</b>	<b>20,662</b>	<b>1,339</b>	<b>1,299</b>	<b>65</b>	<b>67</b>	<b>21,251</b>	<b>22,028</b>

**3.6 Civil legal aid grants (including grants on review)**

Subject matter	Sheriff court		Court of Session		Other courts		Total	
	2010-2011	2009-2010	2010-2011	2009-2010	2010-2011	2009-2010	2010-2011	2009-2010
Adults with incapacity	2,026	1,660	0	0	0	0	2,026	1,660
Appeals	45	91	52	83	15	19	112	193
Breach of contract	55	52	5	4	0	0	60	56
Contact/parentage	3,374	3,826	18	8	0	0	3,392	3,834
Debt	200	249	5	6	0	1	205	256
Discrimination	4	0	1	1	0	0	5	1
Divorce/separation	2,647	2,935	9	11	0	0	2,656	2,946
Family/matrimonial - other	608	631	35	38	2	0	645	669
Housing/recovery of heritable property	819	958	2	0	0	0	821	958
Immigration and asylum	0	0	194	261	0	2	194	263
Judicial review	0	1	51	77	0	0	51	78
Medical negligence	40	40	31	50	0	0	71	90
Property/monetary	357	425	3	4	0	0	360	429
Protective order	635	908	6	9	0	0	641	917
Reparation	248	951	49	91	0	0	297	1,042
Residence	1,222	1,303	2	6	0	0	1,224	1,309
Other	258	264	49	79	1	5	308	348
<b>Total</b>	<b>12,538</b>	<b>14,294</b>	<b>512</b>	<b>728</b>	<b>18</b>	<b>27</b>	<b>13,068</b>	<b>15,049</b>
<b>Grants with contribution</b>							<b>3,341</b>	<b>3,853</b>
<b>Grants with no contribution</b>							<b>9,727</b>	<b>11,196</b>
<b>Total</b>							<b>13,068</b>	<b>15,049</b>
Mean value of contribution, where payable							£1,952	£1,707
Median value of contribution, where payable							£1,474	£1,295

**Notes**

1. This table shows contributions payable at the grant of the civil legal aid application, or when granted on review.

### 3.7 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	2010-2011	2009-2010
Intimations under regulation 18(1)(a)	10,974	12,378
Certifications under regulation 18(1)(b)	2,534	2,318
<b>Total</b>	<b>13,508</b>	<b>14,696</b>

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

Court	Refused on merits		Refused on means		Refused on both		Abandoned		Total	
	2010-2011	2009-2010	2010-2011	2009-2010	2010-2011	2009-2010	2010-2011	2009-2010	2010-2011	2009-2010
Court of Session	770	4,507	9	207	10	52	87	1,880	876	6,646
Sheriff court	5,137	616	154	17	61	9	2,111	112	7,463	754
Other courts	26	22	0	1	0	0	7	9	33	32
<b>Total</b>	<b>5,933</b>	<b>5,145</b>	<b>163</b>	<b>225</b>	<b>71</b>	<b>61</b>	<b>2,205</b>	<b>2,001</b>	<b>8,372</b>	<b>7,432</b>

#### Notes

1. In this table and in table 3.10, refused on merits includes applications refused on the basis of no probable cause, or unreasonableness, where the proceedings are statutorily excluded from civil legal aid.

### 3.9 Disposal of applications for review of decision to refuse legal aid

Subject matter	2010-2011			2009-2010		
	Received	Allowed	Refused	Received	Allowed	Refused
Adults with incapacity	33	17	9	34	33	1
Appeals	138	58	67	133	77	44
Breach of contract	75	38	33	72	29	32
Contact/parentage	1,102	730	206	576	447	68
Debt	233	95	131	258	118	105
Discrimination	3	2	0	5	1	4
Divorce/separation	472	332	106	403	301	48
Family/matrimonial - other	247	152	69	163	119	21
Housing/recovery of heritable property	179	129	44	172	130	28
Immigration and asylum	116	64	36	94	75	15
Judicial review	97	26	54	75	18	49
Medical negligence	67	31	30	71	38	29
Property/monetary	206	119	41	99	77	17
Protective order	226	104	107	202	110	68
Reparation	398	159	215	791	351	393
Residence	308	193	78	215	159	39
Other	293	114	162	293	135	140
<b>Total</b>	<b>4,193</b>	<b>2,363</b>	<b>1,388</b>	<b>3,656</b>	<b>2,218</b>	<b>1,101</b>

**3.10 Applications for civil legal aid and decisions by pursuer/defender**

	2010-2011			2009-2010		
	Pursuer	Defender	Other	Pursuer	Defender	Other
Applications	11,910	6,043	3,298	12,725	6,386	2,917
Total grants	7,725	3,374	1,969	9,197	3,897	1,955
Refused on merits	3,092	1,695	1,146	2,847	1,434	864
Refused on means	99	53	11	129	79	17
Refused on both merits and means	36	33	2	27	19	15
Abandoned	1,186	790	229	1,070	714	217

**3.11 Analysis of contributions payable by assisted person**

Court	£0	£1 - £50	£51 - £100	£101 - £250	£251 - £500	£501 - £800	£801 - £1,200	£1,201 - £1,700	OVER £1,700
Court of Session	436	1	2	3	8	7	15	10	30
Sheriff court	9,278	36	50	146	297	375	430	523	1,403
Other courts	13	0	0	0	0	1	0	3	1
<b>2010-2011 (Volumes)</b>	<b>9,727</b>	<b>37</b>	<b>52</b>	<b>149</b>	<b>305</b>	<b>383</b>	<b>445</b>	<b>536</b>	<b>1,434</b>
<b>2010-2011 (Percentages)</b>	<b>74.4%</b>	<b>0.3%</b>	<b>0.4%</b>	<b>1.1%</b>	<b>2.3%</b>	<b>2.9%</b>	<b>3.4%</b>	<b>4.1%</b>	<b>11.0%</b>
2009-2010 (Volumes)	11,196	38	43	211	416	483	578	681	1,403
2009-2010 (Percentages)	74.4%	0.3%	0.3%	1.4%	2.8%	3.2%	3.8%	4.5%	9.3%

Of those contributions, the breakdown between capital and income was as follows:

Capital contributions	13,009	0	0	2	2	1	6	5	43
Income contributions	9,735	37	52	149	307	387	450	545	1,406

**Notes**

1. Included in the table are 51 cases, where both a capital and an income contribution are payable.
2. The breakdown of capital and income contributions bands may be lower than the combined volume band because the combined value may place any of the 51 cases in a higher band.

**3.12 Sanctions in civil legal aid cases**

Type	Applications received	Applications granted	Applications refused	Applications abandoned
Expert witness/unusual expenditure	4,676	3,283	1,094	1
Templated sanctions	874	769	0	0
Counsel (advocates and solicitor advocates)	1,724	963	692	1
<b>2010-2011</b>	<b>7,274</b>	<b>5,015</b>	<b>1,786</b>	<b>2</b>
2009-2010	6,284	4,786	1,177	1

**3.13 Applications for extensions of grants of civil legal aid**

Subject matter	Applications received	Applications granted	Applications refused
Adults with incapacity	41	19	12
Appeals	10	1	0
Breach of contract	9	5	0
Contact/parentage	430	184	67
Debt	21	11	1
Discrimination	0	0	0
Divorce/separation	461	238	49
Family/matrimonial - other	96	38	13
Housing/recovery of heritable property	26	8	2
Immigration and asylum	5	2	1
Judicial review	1	0	0
Medical negligence	17	8	3
Property/monetary	82	33	17
Protective order	79	30	8
Reparation	54	25	14
Residence	260	125	26
Other	40	11	11
<b>2010-2011</b>	<b>1,632</b>	<b>738</b>	<b>224</b>
2009-2010	1,210	778	101

**3.14 Applications for change of solicitor in civil legal cases**

	Applications received	Applications granted	Applications refused
<b>2010-2011</b>	<b>1,081</b>	<b>953</b>	<b>42</b>
2009-2010	980	869	28

## 3.15 Accounts paid and average case costs - civil advice and assistance and ABWOR

Subject matter	Diagnostic accounts		Detailed accounts					All civil advice and assistance and ABWOR					
	Number of cases	Total paid	Number of cases	Solicitor outlays	Counsel outlays	Total outlays	Total paid	Total number of cases	Total paid 2010-2011	Total paid 2009-2010	Average	Average	
		£000									£000	case cost	case cost
			£000	£000	£000	£000	£000	2010-2011	£000	£000	2010-2011	2009-2010	
<b>Civil advice and assistance</b>													
Adults with incapacity	0	0	1,056	239	37	0	37	276	1,056	276	241	261	257
Aliment/Child Support Agency	0	0	894	144	4	0	4	148	894	148	159	166	181
Antisocial Behaviour Orders (ASBO)	0	0	324	47	1	0	1	47	324	47	50	146	157
Breach of contract	0	0	539	68	6	0	6	74	539	74	78	137	130
Childrens (Scotland) Act	0	0	1,952	293	14	1	15	307	1,952	307	279	158	159
Civil appeals	0	0	143	31	2	13	15	46	143	46	41	322	286
Complaints about professional bodies	393	12	160	21	3	(0)	3	24	553	36	40	65	67
Contact/parentage	0	0	11,123	2,197	52	3	55	2,252	11,123	2,252	2,093	202	200
Conveyancing	0	0	99	17	3	1	4	21	99	21	16	212	160
Criminal Injuries Compensation Authority	0	0	1,061	122	7	0	7	129	1,061	129	152	121	107
Discrimination	0	0	84	16	8	2	10	26	84	26	14	310	201
Divorce	0	0	5,878	1,147	46	3	48	1,196	5,878	1,196	1,330	203	218
Employment	0	0	1,821	393	7	4	11	404	1,821	404	372	222	208
Family/matrimonial - other	0	0	2,694	544	69	9	78	622	2,694	622	546	231	216
Hire purchase/debt	472	15	5,467	594	10	2	12	606	5,939	621	710	104	106
Housing	356	10	2,781	329	26	3	29	358	3,137	368	396	117	120
Human rights	24	0	12	4	2	0	2	6	36	6	4	174	53
Immigration and asylum	0	0	8,007	2,704	737	45	782	3,487	8,007	3,487	2,668	435	392
Interdict/non-harassment	0	0	4,308	635	11	2	13	648	4,308	648	678	150	149
Judicial review	0	0	617	156	41	26	68	224	617	224	177	363	318
Medical negligence	0	0	498	187	214	4	218	405	498	405	365	813	819
Mental health	0	0	1,343	1,023	408	5	413	1,436	1,343	1,436	1,040	1,070	1,012
Power of attorney	0	0	1,084	159	62	1	63	221	1,084	221	197	204	218
Property/monetary	0	0	258	37	1	0	1	37	258	37	40	145	141
Protective order	0	0	75	12	1	0	1	13	75	13	12	178	193
Recovery of heritable property	0	0	3,130	546	19	2	21	568	3,130	568	673	181	192
Reparation	0	0	3,350	651	264	17	281	932	3,350	932	1,251	278	264
Residence	0	0	2,517	604	11	1	12	615	2,517	615	576	245	243
Separation	0	0	3,387	911	27	5	32	943	3,387	943	1,041	278	286
State benefit	2,324	77	4,138	617	345	3	348	965	6,462	1,042	766	161	128
Wills/executry	0	0	2,233	206	12	2	14	220	2,233	220	210	99	101
Other	1,361	40	1,485	269	39	16	55	324	2,846	364	379	128	120
<b>Total civil advice and assistance</b>	<b>4,930</b>	<b>154</b>	<b>72,518</b>	<b>14,923</b>	<b>2,489</b>	<b>169</b>	<b>2,658</b>	<b>17,581</b>	<b>77,448</b>	<b>17,735</b>	<b>16,592</b>	<b>229</b>	<b>213</b>

Table 3.15 continued overleaf

3.15 continued

Subject matter	Diagnostic accounts		Detailed accounts					All civil advice and assistance and ABWOR					
	Number of cases	Total paid	Number of cases	Solicitor	Counsel	Total outlays	Total paid	Total number of cases 2010-2011	Total paid	Total paid	Average case cost 2010-2011	Average case cost 2009-2010	
		£000		£000	outlays				outlays	£000			£000
<b>Civil ABWOR</b>													
Bankruptcy/petition by debtor	0	0	3	0	0	0	0	3	0	1	125	116	
Employment tribunals	0	0	391	539	29	29	59	391	598	512	1,528	2,451	
Immigration and asylum	0	0	1,110	828	205	15	220	1,110	1,048	1,220	944	820	
Mental health	0	0	2,002	1,864	723	62	785	2,002	2,649	2,851	1,323	1,413	
Sequestration	0	0	3	0	0	0	0	3	0	1	75	41	
Other	0	0	17	4	1	0	1	17	4	6	261	324	
<b>Total civil ABWOR</b>	-	-	<b>3,526</b>	<b>3,235</b>	<b>959</b>	<b>106</b>	<b>1,065</b>	<b>4,300</b>	<b>3,526</b>	<b>4,590</b>	<b>1,220</b>	<b>1,222</b>	
<b>Total civil advice and assistance and ABWOR 2010-2011</b>	<b>4,930</b>	<b>154</b>	<b>76,044</b>	<b>18,158</b>	<b>3,448</b>	<b>275</b>	<b>3,723</b>	<b>21,881</b>	<b>22,035</b>	-	<b>272</b>	-	
<b>Total civil advice and assistance and ABWOR 2009-2010</b>	<b>5,761</b>	<b>164</b>	<b>75,859</b>	<b>17,585</b>	<b>3,114</b>	<b>319</b>	<b>3,433</b>	<b>21,018</b>	-	<b>21,182</b>	-	<b>260</b>	

**Note** 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 to the solicitor, of fees and outlays.

## 3.16 Accounts paid and average case costs - civil legal aid

Subject matter	Number of cases	Current Year Cost <sup>1</sup>				Actual Case Cost <sup>2</sup>							
		Solicitor £000	Advocate £000	Solicitor advocate £000	Outlays £000	Total paid 2010-2011 £000	Total paid 2009-2010 £000	Average case cost 2010-2011 £	Average case cost 2009-2010 £	Average case cost 2010-2011 £	Average case cost 2009-2010 £	Median case cost 2010-2011 £	Median case cost 2009-2010 £
<b>Sheriff court</b>													
Adults with incapacity	1,382	1,052	1	0	450	1,503	1,242	1,087	1,180	1,047	1,152	960	943
Appeals	133	106	83	0	14	203	198	1,529	1,556	852	1,647	249	362
Breach of contract	59	80	5	0	11	96	86	1,631	2,458	1,737	1,828	786	780
Contact/parentage	3,360	6,670	727	0	3,632	11,029	8,565	3,282	3,058	2,621	2,648	1,491	1,473
Debt	377	321	78	0	37	438	414	1,161	1,202	1,100	1,020	326	412
Discrimination	5	9	(0)	0	3	12	4	2,443	1,489	2,580	1,264	2,650	843
Divorce/separation	2,559	2,996	366	0	706	4,067	3,716	1,589	1,491	1,693	1,313	648	634
Family/matrimonial - other	575	833	300	0	558	1,691	1,608	2,942	3,022	2,834	2,490	924	1,057
Housing/recovery of heritable property	1,274	568	6	0	49	624	485	490	444	471	389	265	241
Immigration and asylum	0	0	0	0	0	0	10	-	1,247	-	1,095	-	1,030
Medical negligence	36	74	23	0	40	138	175	3,820	3,897	2,698	2,933	698	636
Property/monetary	361	508	54	0	190	752	628	2,084	1,957	1,983	1,616	1,077	1,052
Protective order	1,027	988	38	0	340	1,366	1,321	1,330	1,332	1,191	1,085	833	781
Reparation	511	1,777	189	2	568	2,537	3,375	4,966	4,494	4,290	4,564	3,300	2,216
Residence	1,223	2,355	80	0	1,510	3,945	2,958	3,225	3,000	2,579	2,456	1,406	1,450
Other	419	619	632	0	114	1,364	1,036	3,256	3,091	1,551	2,693	363	442
<b>Total sheriff court</b>	<b>13,301</b>	<b>18,956</b>	<b>2,583</b>	<b>3</b>	<b>8,223</b>	<b>29,765</b>	<b>25,821</b>	<b>2,238</b>	<b>2,167</b>	<b>1,917</b>	<b>1,911</b>	<b>833</b>	<b>819</b>
<b>Court of Session</b>													
Adults with incapacity	0	0	0	0	0	0	2	-	1,541	-	1,541	-	1,541
Appeals	123	130	306	18	51	505	771	4,109	6,171	3,283	6,576	2,064	1,843
Breach of contract	8	47	63	0	8	117	31	14,674	30,595	17,465	12,515	1,538	12,515
Contact/parentage	7	61	89	0	27	178	171	25,382	15,524	25,013	15,793	15,681	4,533
Debt	12	64	65	0	29	158	128	13,142	8,025	18,095	6,216	10,934	994
Divorce/separation	6	86	32	0	107	225	166	37,543	15,051	5,334	17,877	1,983	3,996
Family/matrimonial - other	32	84	76	5	45	210	292	6,557	10,833	5,610	9,642	4,275	4,173
Housing/recovery of heritable property	2	5	10	0	16	31	12	15,472	3,984	24,752	3,289	24,752	2,820
Immigration and asylum	337	208	286	24	43	561	505	1,664	1,477	1,682	1,434	1,115	1,070
Judicial review	90	144	214	2	82	441	335	4,897	4,532	4,314	3,517	2,175	1,897
Medical negligence	53	658	477	2	508	1,645	634	31,033	18,646	28,400	7,949	5,481	6,600
Property/monetary	5	20	10	0	(5)	25	17	4,958	5,770	4,819	5,055	626	3,655
Protective order	8	7	17	0	7	32	151	3,989	6,312	2,031	4,400	2,244	1,820
Reparation	151	1,490	1,546	0	926	3,962	4,645	26,237	10,828	23,271	11,503	4,281	762
Residence	6	16	9	0	8	33	136	5,498	22,650	5,756	22,943	4,280	12,806
Other	90	235	468	33	86	822	659	9,136	5,729	10,664	4,548	1,431	1,391
<b>Total Court of Session</b>	<b>930</b>	<b>3,255</b>	<b>3,668</b>	<b>84</b>	<b>1,938</b>	<b>8,944</b>	<b>8,656</b>	<b>9,617</b>	<b>7,083</b>	<b>8,823</b>	<b>6,806</b>	<b>1,576</b>	<b>1,128</b>
<b>Total other courts</b>	<b>10</b>	<b>15</b>	<b>54</b>	<b>0</b>	<b>56</b>	<b>124</b>	<b>535</b>	<b>12,445</b>	<b>44,571</b>	<b>12,208</b>	<b>43,871</b>	<b>1,262</b>	<b>22,852</b>

Table 3.16 continued overleaf

## 3.16 continued

Subject matter	Current Year Cost <sup>1</sup>					Actual Case Cost <sup>2</sup>							
	Number of cases	Solicitor £000	Advocate £000	Solicitor advocate £000	Outlays £000	Total paid 2010-2011 £000	Total paid 2009-2010 £000	Average case cost 2010-2011 £	Average case cost 2009-2010 £	Median case cost 2010-2011 £	Median case cost 2009-2010 £		
<b>All courts</b>													
Adults with incapacity	1,382	1,052	1	0	450	1,503	1,243	1,087	1,067	1,047	1,152	960	943
Appeals	265	251	441	18	120	830	1,433	3,132	5,489	2,408	5,789	921	958
Breach of contract	67	127	68	0	19	214	117	3,188	4,627	3,615	2,125	1,110	789
Contact/parentage	3,367	6,731	816	0	3,659	11,206	8,736	3,328	2,764	2,668	2,700	1,500	1,473
Debt	389	385	144	0	66	595	542	1,530	1,506	1,625	1,251	338	433
Discrimination	5	9	(0)	0	3	12	4	2,443	2,850	2,580	1,264	2,650	843
Divorce/separation	2,565	3,082	398	0	813	4,293	3,882	1,674	1,531	1,701	1,386	648	634
Family/matrimonial - other	607	917	376	5	604	1,901	1,900	3,132	3,399	2,980	2,835	986	1,103
Housing/recovery of heritable property	1,276	573	16	0	65	655	497	513	362	509	397	266	241
Immigration and asylum	337	208	286	24	43	561	516	1,664	1,470	1,682	1,425	1,115	1,068
Judicial review	90	144	214	2	82	441	335	4,897	3,886	4,314	3,517	2,175	1,897
Medical negligence	89	732	499	2	549	1,782	809	20,025	8,933	18,004	5,055	2,345	2,432
Property/monetary	366	528	64	0	185	777	645	2,123	1,597	2,021	1,647	1,076	1,073
Protective order	1,035	995	56	0	347	1,398	1,472	1,350	1,240	1,204	1,160	835	785
Reparation	662	3,267	1,736	3	1,494	6,499	8,020	9,818	6,797	8,620	7,084	3,370	1,900
Residence	1,229	2,370	89	0	1,518	3,978	3,094	3,236	2,712	2,594	2,580	1,415	1,456
Other	510	854	1,101	33	202	2,190	1,765	4,294	3,904	3,145	3,257	509	603
<b>Total all courts 2010-2011</b>	<b>14,241</b>	<b>22,226</b>	<b>6,305</b>	<b>86</b>	<b>10,216</b>	<b>38,834</b>	-	<b>2,727</b>	-	<b>2,375</b>	-	<b>864</b>	-
<b>Total all courts 2009-2010</b>	<b>13,137</b>	<b>18,651</b>	<b>5,996</b>	<b>63</b>	<b>10,300</b>	-	<b>35,011</b>	-	<b>2,662</b>	-	<b>2,404</b>	-	<b>845</b>

## Note

1. 'Current Year Cost' is the total cost of all payments made in the financial year in question.
2. 'Actual Case Cost' is the total cost of all payments, including historical payments, made on cases with a main case payment in the financial year.
3. 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.

**3.17 Amounts recovered by the Legal Aid Fund**

Type	2010-2011	2009-2010
	£000	£000
Contributions from assisted persons	1,994	1,523
Expenses from opponents	8,388	8,325
Amounts awarded to assisted persons transferred to Legal Aid Fund	1,273	1,032
<b>Total recoveries</b>	<b>11,655</b>	<b>10,880</b>

- Notes**
1. These are amounts actually received by the Board, not amounts due to it.
  2. A breakdown of total amounts recovered is shown in the analysis of payments in table 7.1.

**3.18 Accounts paid under special urgency (whereby in certain circumstances work carried out where legal aid is not subsequently granted, is paid for out of the fund)**

	Solicitor	Advocate	Solicitor advocate	Outlays	Number of cases	Total paid	Average case cost
	£000	£000	£000	£000		£000	£
<b>2010-2011</b>	<b>696</b>	<b>117</b>	<b>14</b>	<b>258</b>	<b>2,281</b>	<b>1,086</b>	<b>476</b>
<b>2009-2010</b>	<b>475</b>	<b>193</b>	<b>8</b>	<b>137</b>	<b>1,640</b>	<b>813</b>	<b>496</b>

- Note**
1. The amounts shown in this table are also included in the figures in table 3.16.