



REDACTED

VIA EMAIL

Dear REDACTED

20 December 2024

Freedom of Information request

I am writing in response to your email received 22 November 2024 where you asked a series of questions.

I will list your questions and answer them in turn – my answers are shown in bold.

I would be grateful if you could provide the following information for the most recent year for which you hold information (which I presume to be the year 2023/24) in relation to each of the following:-

- *a The average solicitor's fee paid per case, inclusive of VAT, in relation to Criminal Summary Legal Aid;*

For the year 2023/24 the average solicitor's fee paid per case, inclusive of VAT, in relation to Criminal Summary Legal Aid was: £744

- *b The average solicitor's fee paid per case, inclusive of VAT, in relation to Criminal Solemn Legal Aid;*

For the year 2023/24 the average solicitor's fee paid per case, inclusive of VAT, in relation to Criminal Solemn Legal Aid was: £2245

- *c In relation to the PDSO, please confirm the annual cost of funding that body for the most recent available year (which I presume to be 2023/24);*

Please see the PDF attached. This is appendix 6 of the detailed statistical tables for the 2023-24 annual report.

- *d I require to establish the notional value of grants of Legal Aid made to the PDSO for the most recent year for which you hold information (which I presume to be 2023/24). In your previous letter to me dated 6 December 2023 you kindly provided a helpful table (Table 5) covering figures for all years up until 2022/23. I would be grateful if you would kindly update that table to include the year 2023/24;*

Table 1: Notional value of PDSO cases (£)

Pounds (£)	Crim A&A	Police Station	ABWOR	Summary	Solemn
2007-08	n/r	n/a	n/r	n/r	225,525
2008-09	n/r	n/a	74,688	225,378	249,083
2009-10	n/r	n/a	83,803	288,258	386,474
2010-11	n/r	n/a	77,345	236,386	308,616
2011-12	52,260	n/a	90,068	534,672	832,414
2012-13	43,684	n/a	93,969	431,366	956,505
2013-14	46,354	n/a	109,480	524,796	1,011,568
2014-15	35,948	n/a	110,684	460,708	941,880
2015-16	31,844	n/a	119,665	460,944	1,004,800
2016-17	40,076	n/a	122,375	437,472	949,906
2017-18	36,524	12,408	103,966	383,180	716,045
2018-19	16,728	47,250	93,870	379,356	849,753
2019-20	15,246	29,785	130,272	431,283	785,478
2020-21	12,561	20,088	84,320	297,557	598,344
2021-22	11,096	13,090	91,000	289,170	694,400
2022-23	8,178	13,200	98,580	538,890	1,323,300
2023-24	8,903	13,965	151,041	618,720	1,339,029

• e In your previous letter to me of 6 December 2023, you commented that the information you provided in that letter relative to the notional value of PDSO cases did “not include information relating to PDSO’s very extensive role as Duty Solicitor.”. I am surprised by that comment given my own analysis of the Duty Solicitor rotas for all Sheriff Courts in Scotland and thereafter applying the average Duty Solicitor daily fee to those rotas would suggest that the notional income from Duty Solicitor activity by the PDSO nationally would be relatively insignificant compared to the total notional value of all PDSO work. Given your previous comment (as set out above) it strikes me that you may have information in that regard that has not been disclosed. Please confirm and expand upon your position on this point and, for the avoidance of doubt, please hold this as a formal request for disclosure of that information.

Please see the appendix 6 attached, and the large increase in the number of duty cases PDSO handled in 2022-23.

In addition I can refer you to these two extracts below from the annual reports of 2021-22 and 2022-23 which refer to the role of PDSO. This included covering duty courts across Scotland. Whilst this may not have resulted in a registered case the provision of the cover is the value of their role.

Covering gaps in provision, whether or not they result in cases, is something not covered in the workload notional value model above.

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[SLAB-2022-23-Annual-Report-and-Accounts.pdf](#)

Continued discontent with legal aid remuneration from sections of the legal profession has again this year resulted in disruption to the wider justice system. The action taken by private criminal solicitors across the country saw our small team providing duty cover, covering holiday courts, and taking on an increasing number of court appointments. We now move into 2023-24 with a new refreshed purpose, vision and mission, and new corporate objectives. Coming straight on the back of the disruption of the previous year, the challenges to which it gave rise, for the Public Defence Solicitors' Office (PDSO) this has probably been the most testing period in its public record my personal thanks to everyone in both PDSO and the Solicitor Contact Line (SCL) for their hard work and for ensuring that unrepresented accused received the help they needed. I know that this appreciation has also been expressed by Government officials and members of the Judiciary.

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[SLAB-2021-22-Annual-Report-and-Accounts.pdf](#)

The impact of Covid-19 has no doubt exacerbated the challenges the legal profession was already facing, the pressures they were under, and the impact on the wider sector. It is against this backdrop that the past year has seen solicitors refusing to provide legal aid, the impact of the Report & Accounts 2021-22 to deliver aspects of criminal legal assistance during the United Nations' Climate Change Conference, the withdrawals in some places from duty solicitor rotas and a more widespread boycott of certain domestic abuse cases. We witness the impact of this action on those who need advice and the operation of the justice system, largely due to the extraordinary efforts of a small team, notably our Public Defence Solicitors' Office and Solicitor Contact Line. Their commitment has been hugely appreciated by justice professionals and, importantly, those in need of advice and representation. But reliance on such small teams to minimise the impact of widespread disruption has put significant pressure on them.

2. For each year dating back to 2006/07 to the latest year that figures are available, please confirm the number of individual solicitors who are/were registered to provide -

- a. Criminal Legal Aid;

Table 2: Count of solicitors on the criminal legal aid register as at the 31st March in these financial year periods

FYR	Num solicitors registered
2006-07	1466
2007-08	1418
2008-09	1378
2009-10	1373
2010-11	1422
2011-12	1443
2012-13	1429

2013-14	1414
2014-15	1354
2015-16	1301
2016-17	1215
2017-18	1176
2018-19	1093
2019-20	1023
2020-21	1022
2021-22	981
2022-23	963
2023-24	936

- *b. Civil Legal Aid.*

There is no legal aid register for civil solicitors. I am unable to provide this information.

To carry out civil legal aid work a firm must first be listed on the Civil Legal Assistance Register. Firms wishing to provide civil legal assistance must register with us and obtain a compliance certificate from the Law Society of Scotland. Unlike in Children's and Criminal Legal Assistance, solicitors do not have to register individually and only the firm must have successfully applied.

Please see this web page for more information.

[Who can provide Civil Legal Aid, Advice and Assistance and ABWOR? - Scottish Legal Aid Board](#)

This concludes my response to each of your questions.

I have appended below details about your rights to request a review of this response.

Yours sincerely,

REDACTED

Manager of Analytics

If you would like me to send this letter or email to you in a different format or language, you can make a request by responding to the email. Where possible we will try and do this within five working days of receiving your request.

Your right to request a review of decision

If you are dissatisfied with the way in which we have handled your request for information, you may ask us to review our decision. A request that we review our decision should be made in writing within 40 working days of the date of this letter or, if we have not responded to your request, within 40 days of the date by which we should have responded (that would normally be 20 days after receiving your request).

We will review our decision and tell you the outcome within 20 working days of receiving your request.

If, having done so, you remain dissatisfied, you may ask the Scottish Information Commissioner to review our decision. You must submit your request in writing to the Commissioner within 6 months of first receiving notice about the matter you are complaining about.

The Commissioner will not deal with an application unless SLAB's review process has been used and exhausted – in other words, until you have asked us to review our decision and you are not satisfied with our response or have not received a response within 20 working days of your request.

The Commissioner's contact details are:

The Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Telephone: 01334 464610
Fax: 01334 464611
Website www.itspublicknowledge.info
E-mail: enquiries@itspublicknowledge.info

Your appeal can also be dealt with online. The Commissioner has an online appeal service which is available 24/7 and offers requesters real time help and advice about their appeal. This can be accessed at: www.itspublicknowledge.info/Appeal