

VIA EMAIL



Reference Number: FOI2025/00132

1 August 2025

Scottish Legal Aid Board
Thistle House
91 Haymarket Terrace
Edinburgh
EH12 5HE
Switchboard: 0131 226 7061
www.slab.org.uk

**REQUEST FOR INFORMATION
THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002**

Dear

Thank-you for your email received on 5 July.

You requested the following key items, I have numbered them for convenience:

- (1) "information with respects to proportion of the legal aid budget has been used to win cases in favour of people with neurodiversity."
- (2) "Can you please provide me the excuses you normally give to refuse such information."
- (3) "I am looking for data for the last five years, and in monthly format."
- (4) "This information can relate to all kinds of law, criminal, civil, family, employment, and any other further field that is relevant. Data can also be provided with regards each individual field, and region."

We can confirm that we do hold some of this information and are pleased to provide you with this information.

Question 1 s 3

When people apply for legal aid their solicitor should ask them a series of questions concerning their protected personal characteristics such as sex, ethnicity and disability. We gather and use this equality data to inform our policies and improve our services.

Within the disability questions we not ask specifically for information on neurodiversity. But we do ask if they have:

- Learning difficulty
- Learning disability
- Developmental disorder

For the purposes of answering your question we have taken answers of yes to any of those three questions as being a yes for the purposes of providing information on neurodiversity.

Please see Table 1 below. As you can see the volumes of cases we have identified with neurodiversity are very small – especially for September 2022 and earlier. We are reliant on solicitors asking these questions and completing our online system with the information.

We released a new system in October 2022 to improve the collection, which shows in the data with an increase in the number of cases, however there are still a large number of cases where there are no answers to the disability questions.

To provide you with a meaningful figure for the proportion of all cases I have expressed the number of neurodiversity cases as a percent of all the cases that provided an answer to the disability question.

Please note that these figures may still not be representative of the total number of SLAB cases because people may tend to only answer the disability questions if they do have a disability – so there may be a positive bias in the proportion of cases answering.

Table 1: Neurodivergent applicant cases at SLAB

Calen- dar Year	Month	Count of cases	% of all cases with an answer to the Disa- bility ques- tions
2020	Apr	4	0.11%
2020	May	5	0.12%
2020	Jun	9	0.17%
2020	Jul	15	0.24%
2020	Aug	28	0.43%
2020	Sep	32	0.45%
2020	Oct	29	0.41%
2020	Nov	23	0.34%
2020	Dec	17	0.30%
2021	Jan	14	0.26%
2021	Feb	20	0.35%
2021	Mar	40	0.57%
2021	Apr	27	0.45%

2021	May	39	0.64%
2021	Jun	35	0.55%
2021	Jul	20	0.34%
2021	Aug	20	0.32%
2021	Sep	36	0.61%
2021	Oct	21	0.37%
2021	Nov	34	0.60%
2021	Dec	24	0.52%
2022	Jan	23	0.45%
2022	Feb	34	0.63%
2022	Mar	37	0.64%
2022	Apr	48	1.27%
2022	May	52	1.26%
2022	Jun	42	1.12%
2022	Jul	36	0.99%
2022	Aug	43	1.07%
2022	Sep	56	1.47%
2022	Oct	141	7.76%
2022	Nov	144	7.75%
2022	Dec	125	9.67%
2023	Jan	165	9.80%
2023	Feb	173	10.46%
2023	Mar	196	11.24%
2023	Apr	137	10.47%
2023	May	174	11.01%
2023	Jun	207	13.53%
2023	Jul	207	14.94%
2023	Aug	184	12.87%
2023	Sep	187	14.82%
2023	Oct	189	13.91%
2023	Nov	179	13.97%
2023	Dec	135	13.61%
2024	Jan	204	16.15%
2024	Feb	212	16.64%
2024	Mar	234	22.83%
2024	Apr	186	24.70%
2024	May	226	29.58%
2024	Jun	189	28.68%
2024	Jul	234	29.51%
2024	Aug	210	31.02%
2024	Sep	198	30.00%
2024	Oct	242	31.72%
2024	Nov	178	28.80%
2024	Dec	151	28.76%
2025	Jan	200	30.08%
2025	Feb	184	28.79%
2025	Mar	210	33.12%
TOTAL		6464	

Question 2

There may be a number of reasons why requests for information can not be provided. As a public body the Scottish Legal Aid Board is obliged to follow the law and guidance on how to respond to FOI requests.

For more information please see:

[Why might my request be refused? | Scottish Information Commissioner](#)

Question 4

The distribution of the 6464 cases we have identified as being neurodivergent by the type of legal area is shown in Table 2 below.

Table 2: Neurodivergent SLAB cases by legal assistance area

Legal assistance area	Case Type	Count of cases	Proportion of cases
Children's	Total	982	15%
	Children's AA	144	
	Children's ABWOR	593	
	Children's Appeals	1	
	Children's Auto	15	
	Children's Sheriff Court	227	
	Children's Sheriff Principal Court Session	2	
Civil	Total	1,970	30%
	Civil AA	1,345	
	Civil ABWOR	69	
	Civil Legal Aid	556	
Criminal	Total	3,512	54%
	Criminal AA	217	
	Criminal ABWOR	1,189	
	Criminal Appeals	28	
	Criminal Duty	4	
	Criminal Summary	1,420	
	Police Station	99	
	Solemn and Court Grants	555	
Grand Total		6,464	

And the distribution of the 6464 cases we have identified as being neurodivergent by the council area the solicitor is located in is shown in Table 2 below.

Table 3: Neurodivergent SLAB cases by solicitor council area

Council area of solicitor	Count of cases	Percent
Aberdeen City	281	4.3%
Aberdeenshire	153	2.4%
Angus	55	0.9%
Argyll and Bute	13	0.2%
City of Edinburgh	695	11%
Clackmannanshire	50	0.8%
Dumfries and Galloway	131	2.0%
Dundee City	302	4.7%
East Ayrshire	210	3.2%
East Dunbartonshire	71	1.1%
East Lothian	46	0.7%
East Renfrewshire	36	0.6%
Falkirk	200	3.1%
Fife	339	5.2%
Glasgow City	1,551	24%
Highland	332	5.1%
Inverclyde	28	0.4%
Midlothian	10	0.2%
Moray	69	1.1%
Na h-Eileanan Siar	4	0.1%
North Ayrshire	62	1.0%
North Lanarkshire	279	4.3%
Orkney Islands	9	0.1%
Perth and Kinross	149	2.3%
Renfrewshire	265	4.1%
Scottish Borders	22	0.3%
Shetland Islands	20	0.3%
South Ayrshire	285	4.4%
South Lanarkshire	216	3.3%
Stirling	50	0.8%
West Dunbartonshire	353	5.5%
West Lothian	178	2.8%
Grand Total	6,464	

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

Website: www.foi.scot

E-mail: enquiries@foi.scot

For details on how to appeal please go to their website www.foi.scot/contactus