EQUALITY IMPACT ASSESSMENT (EqIA)

Summary results of the EqIA

Title of policy/practice/process/service:

Solemn criminal legal aid: Special Urgency.

Is the policy new (proposed), a revision to an existing policy or a review of current policy?

Review of current policy.

Key findings from this assessment (or reason why an EqIA is not required):

This EqIA found that the policy governing the grant of solemn criminal legal aid on the basis of Special Urgency under Regulation 15 operates within a context where there are well established inequalities in access to and engagement with the justice system, particularly for individuals experiencing vulnerability, disability, mental health conditions, language barriers, custody, or socioeconomic disadvantage.

The policy applies neutral procedural criteria and does not differentiate between applicants based on protected characteristics. While applications for Regulation 15 cover in solemn cases are rare, the policy operates at a time-critical gateway to legal representation in serious criminal proceedings and engages SLAB's discretionary decision-making powers.

The assessment concludes that the policy appropriately frames the exercise of discretion in a way that supports fairness, consistency and proportionality. By enabling limited, conditional legal aid cover where full financial and merits testing cannot reasonably be completed before an imminent court appearance, the policy is intended to mitigate the risk that procedural barriers disproportionately disadvantage individuals who share protected characteristics.

Summary of actions taken because of this assessment:

No changes to the policy approach were required because of this assessment. The EqIA confirmed that the existing policy for granting Special Urgency cover in solemn criminal cases appropriately balances SLAB's statutory obligations with the need to minimise potential equality impacts arising from urgent court processes.

Ongoing actions beyond implementation include:

The policy will continue to be monitored through routine review to ensure that discretion under Regulation 15 is applied consistently and proportionately, and that the use of Special Urgency cover does not give rise to unintended adverse impacts on equality groups. Any emerging issues will be considered through operational feedback and future policy review.

Lead person(s) for this assessment (job title and department only):

- Head of Criminal Legal Assistance, Criminal Legal Assistance
- Policy Officer (Equalities), Policy & Development.

Senior responsible owner (SRO) agreement that the policy has been fully assessed against the needs of the general duty (job title only):

Director of Operations.

Publication date (for completion by Communications):
04/11/2026

Step 1: Scoping the work being assessed

1.1. Briefly describe the aims, objectives and purpose of the policy/practice/process/service.

SLAB's policy is that an application for legal aid cover under Regulation 15 for criminal solemn matters will be granted where SLAB is satisfied that a complete legal aid application cannot be processed prior to the upcoming court appearance.

SLAB will encourage a solicitor who requests cover under Regulation 15 for criminal solemn matters to complete a full legal aid application and SLAB will ensure it is processed timeously. It is only for matters where the court appearance is imminent (set for that day), or where the solicitor is unable to submit a full application urgently that a Regulation 15 cover will be granted.

Once granted, SLAB's policy is that the grant will cover any work required for that appearance, and that the solicitor will be required to complete a full legal aid application for any further work thereafter.

1.2. Why is the policy/practice/process/service being examined?

Review of policy/process/service/practice.

The policy is being examined as part of a routine review to confirm that SLAB's approach to Regulation 15 in solemn criminal cases:

- reflects current operational practice
- remains aligned with legislative requirements
- is compatible with SLAB's duties under the Public Sector Equality Duty.

The review also provides assurance that the limited use of Special Urgency in solemn cases does not give rise to unintended equality impacts.

1.3. Who is affected by this policy/practice/process/service?

The primary customers affected by this policy are individuals accused in solemn criminal proceedings who seek legal aid on the basis of Special Urgency. This includes accused persons cited to appear in court within short timescales who are unable, for practical reasons, to satisfy standard financial or merits testing before urgent court procedures.

Solicitors and advocates work with the policies and guidance we develop. They are affected by the policy but not in relation to their protected characteristics.

The policy also has an indirect impact on court processes by supporting the timely progression of cases where urgent work is required.

1.4. Policy/practice/process/service implementation date.

14/12/2026.

1.5. What other SLAB policies or projects may be linked or affected by changes to this policy/practice/process/service?

This policy relates to:

- criminal legal aid application processes
- court-granted and automatic legal aid provisions in solemn proceedings
- legal aid fees and remuneration structures.

Findings from this EqIA may also be relevant to other criminal legal aid policies involving discretionary decision-making or time-critical access to legal aid.

Step 2: Consider the available evidence and data relevant to your policy/practice/process/service

2.1. What information is available about the experience of each equality group in relation to this policy/practice/process/service?

General information about the policy/practice/process/service

SLAB holds administrative and management information on criminal legal aid applications, including the small number of applications made based on Special Urgency under Regulation 15 in solemn criminal proceedings. This data includes case type, court type, and whether Regulation 15 cover was requested or granted.

Applications for Special Urgency cover in solemn cases are rare. This reflects:

- the effectiveness of SLAB's online legal aid systems in processing full applications timeously
- the availability of court-granted and automatic legal aid in solemn proceedings
- fee structures which generally incentivise solicitors to seek full legal aid grants.

However, solemn criminal proceedings involve serious offences and significant consequences for the accused, including the potential for remand or custody, and more complex procedural requirements. Situations of Special Urgency may still arise were, for example:

- a solicitor is instructed at a late stage
- an accused appears from custody at short notice
- a court appearance is imminent, and a full application cannot reasonably be completed in advance.

The policy therefore operates at a time-critical stage in the criminal justice process, determining whether limited legal aid cover may be made available where full financial and merits assessment cannot be completed in advance. More broadly, the criminal justice system is an area where there are well-established inequalities in access to and engagement with services. Evidence indicates that people in contact with the justice system are more likely to experience complex health and social needs and to face barriers in accessing support and participating effectively in legal processes.[1]

Certain groups, including disabled people, those with mental health conditions, individuals facing language barriers, and those with experience of poverty or care, may be more likely to experience difficulties engaging with legal systems or meeting procedural requirements within short timescales.[2]

While these inequalities are not created by this policy, they form the context in which Regulation 15 Special Urgency provisions operate.

The demographic data below relates to Criminal Special Urgency applications for financial years 2024-25 and 2025-26. Current management information groups Summary and Solemn Special Urgency work together and separate demographic breakdowns are not available. The Criminal Special Urgency dataset has therefore been used as the best available proxy for the population affected by this policy.

Age

Statistics

- **SLAB's data**

Age bands	Percentage of total Special Urgency applications
0-19	3%
20-39	57%
40-59	33%
60-79	6%
80+	<1%
Grand Total	**100%**

The age profile of applicants seeking Special Urgency cover is concentrated within the 20-39 and 40-59 age groups, which together account for approximately 90% of applications. Our view is that this reflects the age profile of individuals involved in criminal proceedings rather than resulting from any impact of the policy.

Age bands	Granted	Not granted
0-19	93%	7%
20-39	97%	3%
40-59	96%	4%
60-79	95%	5%
80+	<5 cases	N/A
Grand Total	**96%**	**4%**

[1] Bissell, NHS Greater Glasgow and Clyde, Literature review: health needs assessment of individuals within community justice services and untried in custody (remand) (2024).
[2] The Legal Journal, EHRC releases results of criminal justice system equality inquiry (2020) and Human Rights Commission (EHRC), Criminal justice system failing disabled people (2020).

There is little variation in grant rates by age group. Grant rates remain consistently high across all age groups. Due to the relatively small number of Special Urgency applications and the suppression of small values, statistical significance testing was not possible for this characteristic. We are not aware of any internal evidence suggesting these differences arise because of the policy itself.

- **Data relevant to the policy**

The Scottish population is ageing. In 2023, people aged 65 and over accounted for approximately 20% of Scotland's population, while those aged 16 to 24 accounted for around 11%.[5]

Evidence on different age categories

Younger adults and older people may face challenges engaging promptly with legal processes, due to limited experience of the justice system, reliance on others for support, digital exclusion or health-related factors.[5]

These factors may increase the likelihood that urgent legal assistance is required before standard evidential requirements can be met.

Disability

Statistics

- **SLAB's data**

Disability status	Percentage of total Special Urgency applications
No disability	25%
1 or more disabilities	6%
No data	70%
Grand Total	**100%**

The disability profile of applicants seeking Special Urgency cover is difficult to assess due to the high proportion of applications where disability information has not been recorded. Of those applicants whose disability status was recorded, around 6% reported one or more disabilities.

Our view is that the available data is likely to understate the prevalence of disability amongst applicants and reflects data recording limitations rather than actual levels of disability within the applicant group.

Disability status	Granted	Not granted
No disability	96%	4%
1 or more disabilities	92%	8%
No data	97%	3%
Grand Total	**96%**	**4%**

There is some variation in grant rates according to disability status. However, the number of applications where disability information is available is relatively small and there is a substantial proportion of missing data.

Statistical analysis of the Criminal Special Urgency dataset indicates that there is no statistically significant relationship between disability status and grant rate.

We are not aware of any other evidence suggesting a detrimental impact arising from the policy.

- **Data relevant to the policy**

In a prison survey undertaken across Scotland in 2024, a little over half of all respondents said they have a disability or a long-term health condition, which is similar to the proportion seen in 2019.[3]

Evidence on different disabilities

- **Physical disabilities**

People with physical disabilities may face barriers when engaging with Scotland's justice system, particularly where attendance at court or legal processes is required within short timescales. Mobility or access needs can affect a person's ability to attend buildings or participate fully without appropriate support or adjustments.

The Scottish Courts and Tribunals Service provide reasonable adjustments such as step-free access, lifts, and communication support to improve accessibility, reflecting legal duties under the Equality Act 2010.[4] However, individuals may still need to identify and request adjustments in advance, which can create practical barriers in urgent or time-sensitive situations.[5]

Scottish Government evidence also indicates that disabled people can experience ongoing inequalities in access to justice due to environmental and procedural barriers.[6] This highlights the importance of procedural flexibility, such as the Special Urgency policy, to reduce the risk of disadvantage in time-sensitive cases.

- **Learning disabilities**

People with learning disabilities may face barriers in understanding legal processes and participating effectively within Scotland's justice system. Learning disabilities can affect communication, comprehension, and independence, which may impact a person's ability to engage fully with legal proceedings.

More recent Scottish Government evidence highlights that disabled people can experience inequalities in access to justice, including difficulties understanding legal information, exercising rights, and engaging with justice processes on an equal basis.[7] This can affect participation and outcomes across the justice system.

The Scottish Commission for People with Learning Disabilities also emphasises that barriers in communication and understanding can limit the realisation of human rights, particularly in relation to access to justice and effective participation.[8] This highlights the importance of ensuring that justice processes are sufficiently flexible and accessible to prevent disadvantage arising from procedural or communication barriers.

- **Mental health**

Although it is difficult to establish a direct causal connection between mental health issues and offending, mental health issues have been identified as a factor that may contribute to offending and

[3] Scottish Prison Service, Prison Survey 2024 (2025).
[4] Scottish Courts and Tribunals Service, Support and reasonable adjustments (2025).
[5] Scottish Courts and Tribunals Service, Support and reasonable adjustments (2025).
[6] Scottish Government, Access to justice: policy overview / disability evidence within justice system (2023).
[7] Scottish Government, Inequalities and challenges experienced by disabled people in Scotland: evidence review (2026).
[8] Scottish Commission for People with Learning Disabilities (SCLD), Solving the human rights puzzle: access to justice for people with learning disabilities (2023).

are found to be common among those appearing for sentencing at a higher proportionate than among members of the general population.[9] *Inclusive Justice: A system designed for all* reports that around 40% of people in police custody have a mental health condition and 5–10% have a learning disability.[10] SLAB's client survey found that approximately 50% of respondents reported a mental health condition.[11]

Mental health conditions can affect memory, concentration and ability to cope with stress, making it harder to engage with legal processes.[12] This may make the criminal justice system more complex and challenging to navigate, and applicants could be overwhelmed by the charges they face, the advice received and the process they go through. Because mental health issues may also not be immediately obvious, adjustments may not always be made in a timely manner. This could mean applicants are wrongly convicted or receive inappropriate sentences.

By allowing urgent working to proceed in certain circumstances without a full application, this policy provides a degree of flexibility which could be helpful for applicants that may require extra time or adjustments.

Sex

Statistics

- **SLAB's data**

Sex	Percentage of total Special Urgency applications
Female	6%
Male	67%
Prefer not to say	10%
No data	17%
Grand Total	**100%**

The sex profile of applicants seeking Special Urgency cover differs significantly from the Scottish population, with men substantially over-represented and women under-represented. Men account for approximately two thirds of applications. Our view is that this reflects wider patterns within the criminal justice system rather than resulting from any particular impact of the policy itself.

Sex	Granted	Not granted
Female	97%	3%
Male	96%	4%
Prefer not to say	95%	5%
No data	97%	3%
Grand Total	**96%**	**4%**

There is little variation in grant rates by sex. Female applicants appear slightly more likely to receive a grant than male applicants, while applicants who preferred not to disclose their sex appear slightly less likely to receive a grant. Due to the relatively small number of Special Urgency applications and

[9] Scottish Sentencing Council, Judicial Perspectives of Mental Health and Sentencing Issues Paper (2024).
[10] EHRC, Inclusive justice: a system designed for all (2020).
[11] SLAB, Survey of private practice criminal legal aid clients 2021 (2022).
[12] A report from The Lines Between for SLAB, Public Involvement in setting SLAB's Equality Outcomes (2019).

the suppression of small values, statistical significance testing was not possible for this characteristic. Overall, there is no clear pattern indicating differential outcomes because of sex.

- **Data relevant to the policy**

Women account for a minority of those involved in the criminal justice system. In Scotland, men consistently account for most people accused of criminal offences.[17]

Evidence demonstrates that women in the justice system are more likely to have experienced trauma, domestic abuse, mental ill-health and caring responsibilities.[18] These factors can affect engagement with legal processes and may increase the wider consequences arising from conviction. Research also indicates that men may be less likely to disclose mental health difficulties and other vulnerabilities without support.[19]

Evidence on women

Women in Scotland represent a minority in prosecution, convictions and incarcerations compared to men. They also receive shorter sentences than men, are less likely to receive a custodial sentence and are reconvicted less often on average.[13] Women are less frequently represented in criminal proceedings overall, which may affect the volume of cases in which the policy is engaged. Women are also under-represented in the Judiciary of Scotland, making up only one third of the membership of Faculty.[14]

This lack of representation may create barriers for women to engage with the legal process due to lack of trust. Engagement may also be affected by additional vulnerabilities such as caring responsibilities, or the menopause or past experiences of trauma or abuse.

Even though women are less likely to be users of this policy, the policy does not discriminate on gender or caring responsibilities. It provides some flexibility thereby mitigating against potential additional disadvantages that may be gender specific.

Evidence on men

Men are disproportionately represented among accused persons in criminal proceedings. In 2023-24, Scottish Government reported that males made up 80% of convictions for non-sexual crimes of violence and 96% of convictions for Sexual crimes.[15] This may increase the volume of cases where Special Urgency provisions are relevant for men but does not indicate differential treatment within the policy.

Race

Statistics

- **SLAB's data**

Ethnicity	Percentage of total Special Urgency applications
White	18%
African, Scottish African or British African	<1%
Asian, Scottish Asian or British Asian	<1%
Caribbean or Black	<1%
Mixed or multiple ethnic groups	<1%

[13] Crime and Justice – Scottish Government, Women in the Justice System (2022).
[14] The Faculty of Advocates, Gender diversity in the legal profession: Has the glass ceiling been smashed? (2023).
[15] Scottish Government, Criminal Proceedings in Scotland 2023-24 (2025).

Ethnicity	Percentage of total Special Urgency applications
Other ethnic group	<1%
Prefer not to say	45%
No data	35%
Grand Total	**100%**

Ethnicity data is unavailable for a significant proportion of applicants, with around 80% either choosing not to disclose their ethnicity or having no ethnicity recorded. The high level of missing data limits meaningful comparison with the wider population.

Ethnicity	Granted	Not granted
African, Scottish African or British African	92%	8%
Asian, Scottish Asian or British Asian	96%	4%
Caribbean or Black	<85%	>15%
Mixed or multiple ethnic groups	>95%	<5%
Other ethnic group	96%	4%
Prefer not to say	94%	6%
White	96%	4%
No data	98%	2%
Grand Total	**96%**	**4%**

There is some variation in grant rates between ethnic groups. However, the numbers involved for most minority ethnic groups are very small and several categories are subject to disclosure control measures. Statistical significance testing was not possible for this characteristic due to the size and structure of the available dataset. We are not aware of internal evidence suggesting these differences arise from the policy.

- **Data relevant to the policy**

Evidence suggests that some minority ethnic groups may experience barriers in accessing public services, including language barriers, cultural differences and lower levels of trust in institutions. These factors may affect engagement with legal processes and the ability to provide information within short timescales.

Evidence on different ethnicities

People from minority ethnic backgrounds may experience structural inequalities, including discrimination, reduced trust in institutions, and barriers to accessing public services. Evidence from Scotland indicates that minority ethnic groups report experiences of racism and unequal treatment, which may affect confidence in engaging with formal systems, including the justice system.[16]

In the context of solemn criminal proceedings, these factors may influence when and how individuals seek legal advice. Where engagement with solicitors occurs at a later stage, particularly in time-critical situations, there may be increased reliance on mechanisms such as Regulation 15.

Our view is that the availability of Special Urgency cover may support access to representation where such barriers arise.

[16] Centre on the Dynamics of Ethnicity (CoDE), Racism, belonging and COVID's legacy of ethnic inequalities in Scotland (2024).

Evidence on people whose first language is not English

Language barriers may significantly affect an individual's ability to understand legal processes, provide instructions, and complete legal aid applications within short statutory timescales. Communication challenges and differences in familiarity with legal systems may delay engagement with solicitors or the submission of required information.

In circumstances where a full application cannot reasonably be completed prior to an imminent court appearance, the availability of Special Urgency cover may reduce the risk that such barriers lead to delays in accessing representation. This reflects the policy's role in supporting procedural flexibility in time-critical cases.

Gender reassignment

Statistics

- **SLAB's data**

No robust dataset is available due to the small number of individuals disclosing this characteristic.

- **Data relevant to the policy**

Evidence indicates that trans people can face discrimination and barriers in accessing public services, including justice systems.

Evidence on trans people

Our view is that gender reassignment may have indirect relevance to this policy, although it is not in itself determinative.

Evidence indicates that people with protected characteristics, including trans individuals, may experience barriers in accessing and engaging with justice processes.[17] Where this affects the point at which an individual engages with a solicitor, particularly in time-critical situations, there may be increased reliance on Regulation 15 provisions.

In these circumstances, relevance arises through the interaction between engagement and procedural timing rather than the protected characteristic itself.

Sexual orientation

Statistics

- **SLAB's data**

No SLAB data available.

- **Data relevant to the policy**

Sexual orientation is not in itself determinative in the application of this policy; however, it may have indirect relevance in certain circumstances.

Evidence from SLAB's public involvement research found that gay, lesbian and bisexual participants reported experiencing assumptions about their sexuality and discomfort correcting professionals. These experiences may reduce confidence in engaging with services and could affect when

[17] EHRC, Inclusive justice: a system designed for all (2020).

individuals seek legal advice. Where engagement occurs at a late stage, there may be increased reliance on Regulation 15 provisions.[18]

In these circumstances, any relevance arises through the interaction between engagement and procedural timing rather than the protected characteristic itself.

Evidence on gay men
No specific evidence identified.

Evidence on gay women/lesbians
No specific evidence identified.

Evidence on bisexual people
No specific evidence identified.

Religion or belief

Statistics
- **SLAB's data**

Religion or belief is not routinely recorded within the legal aid application process.

- **Data relevant to the policy**

No specific data available.

Evidence on different religions
No differential impact has been identified. The policy applies consistently based on procedural urgency.

Pregnancy or maternity

Statistics
- **SLAB's data**

SLAB does not routinely record pregnancy or maternity status in legal aid applications.

- **Data relevant to the policy**

No specific data available.

Evidence on pregnancy and maternity
While pregnancy or caring responsibilities may affect engagement with urgent processes, the policy provides mitigation rather than creating additional burden.

Marriage/civil partnership (only applies to policies related to employment)

Statistics
- **SLAB's data**

Not applicable.

- **Data relevant to the policy**

[18] A report from The Lines Between for SLAB, Public Involvement in setting SLAB's Equality Outcomes (2019).

Not applicable.

Evidence on marriage and civil partnership

This policy does not relate to employment and no relevance to marriage or civil partnership has been identified.

Care Experienced

Statistics

- **SLAB's data**

Care experience status	Percentage of total Special Urgency applications
Currently looked after by a Local Authority	<1%
Previously looked after by a Local Authority	1%
Never looked after by a Local Authority	6%
Prefer not to say	57%
No data	35%
Grand Total	**100%**

Care experience information is available for only a limited number of applicants seeking Special Urgency cover. Due to the small volume of applications and the high proportion of non-disclosure or missing information, meaningful statistical analysis is not possible.

Care experience status	Granted	Not granted
Currently looked after by a Local Authority	96%	4%
Previously looked after by a Local Authority	99%	1%
Never looked after by a Local Authority	95%	5%
Prefer not to say	95%	5%
No data	98%	2%
Grand Total	**96%**	**4%**

There is little variation in grant rates according to care experience status. Applicants who reported previously being looked after by a Local Authority appear slightly more likely to receive a grant, although the numbers involved are relatively small. Due to the relatively small number of Special Urgency applications and the suppression of small values, statistical significance testing was not possible for this characteristic.

- **Data relevant to the policy**

Care experienced people are disproportionately represented within the criminal justice system.

Evidence on care experienced people

Care experienced individuals are more likely to experience crisis-driven engagement with services and may present later in the process.

In solemn proceedings where a case calls at short notice, this increases the likelihood that Regulation 15 Special Urgency provisions may be required to secure representation.

2.2. Using the information above and your knowledge of the policy/practice/process/service, summarise your overall assessment of how important and relevant it is likely to be for equality groups.

Our assessment is that this policy is relevant to equality groups, although its primary operation is driven by procedural and case-related factors rather than the protected characteristics of applicants directly.

The Special Urgency provisions operate at a time-critical stage of solemn criminal proceedings, where access to legal assistance is determined within short court-imposed timescales. While decisions are based on procedural urgency and statutory criteria, there is potential for protected characteristics to be indirectly relevant where they affect an individual's ability to engage with legal processes or provide required information within those timescales.

The evidence indicates that certain groups, including disabled people, those with mental health conditions, individuals facing language barriers, and those experiencing socio-economic disadvantage or care experience may be more likely to encounter barriers in engaging promptly with legal systems.

However, it is important to note that the policy does not use protected characteristics as a basis for decision-making. Any relevance arises through the interaction between those characteristics and procedural requirements, such as urgency and evidential completeness.

Overall, our view is that the policy is of moderate relevance to equality groups. While the number of Special Urgency applications in solemn cases is low, the discretionary nature of Regulation 15 and its operation at a critical stage in proceedings mean that a full EqIA is appropriate.

Outcome of Step 2 and next steps. Select the outcome below to inform the next stage of the EqIA process.

Please select your decision: Proceed to Step 3 - complete full EqIA.

Please outline the reasoning behind your decision:

The policy operates within a context of known structural inequalities in access to justice and applies at a time-critical stage in solemn criminal proceedings. While it applies neutral procedural criteria and is used infrequently, there is potential for indirect relevance to equality groups where protected characteristics affect engagement with legal processes within short timescales.

Given the degree of discretion available to SLAB in determining whether Special Urgency applies and the limits attached to cover, it is appropriate to proceed to a full EqIA to ensure that discretion is exercised consistently and does not give rise to unintended adverse impacts.

Step 3: Stakeholder involvement and consultation

3.1. Do you/did you have any consultation or involvement planned for this policy/practice/process/service?

No.

3.2. List all the stakeholder groups that you will talk to about this policy/practice/process/service.

No external stakeholder consultation was undertaken as part of this policy review.

3.3. What did you learn from the consultation/involvement?

No external consultation was undertaken.

The EqIA was informed by discussions with internal operational and policy colleagues to understand how Regulation 15 is applied in practice and to identify any potential equality considerations arising from its use.

Step 4: Impact on equality groups and steps to address these

4.1. Does the policy/practice/process/service have any impacts (whether intended or unintended, positive or negative) on any of the equality characteristics?

As set out in Step 2, outcomes under this policy are primarily driven by procedural factors, including court timescales, statutory requirements, and the nature of work required at the point of urgency. These factors are not inherently linked to protected characteristics.

However, protected characteristics may have indirect relevance where they affect an applicant's ability to engage with legal processes within required timescales or to provide necessary supporting information. In these circumstances, the Special Urgency provisions provide flexibility by allowing limited work to proceed prior to full evidential compliance.

The policy is framed using neutral procedural criteria and does not differentiate between applicants based on protected characteristics. Our overall assessment is that the policy has potential to support equality of opportunity by reducing barriers associated with time-critical access to legal assistance and presents no evidence of unlawful discrimination.

Age

Potential for discrimination: No impact.
Potential for developing good relations: No impact.
Potential to advance equality: Positive impact(s).

The policy applies neutral procedural criteria and does not differentiate based on age. Where younger or older individuals have trouble engaging with legal processes within short timescales, the availability of Special Urgency cover may support access to legal representation.

No changes required.

Disability

Potential for discrimination: No impact.
Potential for developing good relations: No impact.
Potential to advance equality: Positive impact(s).

Evidence indicates that disabled people may experience barriers in engaging with legal processes, particularly in time-critical contexts. The policy allows necessary work to proceed where full application requirements cannot be met in time. This may support access to justice for disabled applicants.

No changes required.

Sex

Potential for discrimination: No impact.
Potential for developing good relations: No impact.
Potential to advance equality: No impact.

The policy applies consistently regardless of sex. Differences in representation within the criminal justice system reflect wider patterns rather than the operation of this policy.

No changes required.

Race

Potential for discrimination: No impact.
Potential for developing good relations: No impact.
Potential to advance equality: Positive impact(s).

Language barriers or reduced confidence in engaging with services may affect the timing of engagement with legal representatives. The availability of Special Urgency cover may support access to representation where full application requirements cannot be met within short timescales.

No changes required.

Gender reassignment

Potential for discrimination: No impact.
Potential for developing good relations: No impact.
Potential to advance equality: Positive impact(s).

Evidence suggests that trans individuals may experience barriers in accessing and engaging with justice processes. Where this affects the timing of engagement with legal representatives, the availability of Special Urgency cover may support access to legal representation. The policy therefore has potential to advance equality of opportunity by reducing barriers associated with urgent court processes.

No changes required.

Sexual orientation

Potential for discrimination: No impact.
Potential for developing good relations: No impact.
Potential to advance equality: Positive impact(s).

The policy does not differentiate on the basis of sexual orientation. Any relevance arises through potential differences in engagement with services rather than the operation of the policy itself.

No changes required.

Religion or Belief

Potential for discrimination: No impact.
Potential for developing good relations: No impact.
Potential to advance equality: No impact.

The policy does not differentiate on the basis of sexual orientation. However, evidence indicates that previous negative experiences or concerns about discrimination may affect engagement with services. Where this affects the timing of engagement with legal representatives, the availability of Special Urgency cover may support access to legal representation.

No changes required.

Pregnancy & Maternity

Potential for discrimination: No impact.
Potential for developing good relations: No impact.
Potential to advance equality: Positive impact(s).

Health needs and caring responsibilities may affect engagement with legal processes within short timescales. The availability of Special Urgency cover may support access to representation where these factors arise.

No changes required.

Marriage & Civil Partnership (only applies to policies related to employment)

Potential for discrimination: No impact.
Potential for developing good relations: No impact.
Potential to advance equality: No impact.

This policy does not relate to employment matters.

No impact identified and no changes required.

Care experience

Potential for discrimination: No impact.
Potential for developing good relations: No impact.
Potential to advance equality: Positive impact(s).

Care experienced individuals may be more likely to encounter barriers in engaging with legal processes. The policy provides procedural flexibility in time-critical circumstances and may support access to representation in such cases.

No changes required

4.2. Which actions have you taken as part of this assessment?

Please select the outcome of the assessment: Confirm that the policy/practice/process/service described in section 1.1 was robust.

Please explain the changes that have been made:

The assessment confirms that the policy appropriately frames the exercise of discretion under Regulation 15 and operates in a way that is compatible with SLAB's obligations under the Public Sector Equality Duty.

The evidence considered indicates that the policy presents no potential for unlawful discrimination and that it appropriately accounts for the risk of procedural disadvantage arising from short court timescales in solemn criminal proceedings.

The policy applies neutral procedural criteria, includes clear limits and conditions on Special Urgency cover, and enables necessary work to be undertaken where required by court process. This may support equality of opportunity by reducing the likelihood that administrative or evidential barriers disproportionately affect individuals who share protected characteristics.

No changes to the policy approach were required because of this assessment. Ongoing monitoring and routine review will continue to ensure that discretion is exercised consistently and proportionately, and that no unintended adverse impacts arise in practice.

Step 5: Discuss and review the assessment with decision makers and governance structures

5.1. Record details of the groups you report to about this policy/practice/process/service and impact assessment. Include the date you presented progress to each group and an extract from the minutes to reflect the discussion.

The policy and EqIA has been reviewed by operational and policy colleagues as part of the policy review process. The EqIA was reviewed by the GRM on 29 September.

Step 6: Post-implementation actions and monitoring impact

6.1. Record any ongoing actions below

No specific equality actions identified at present.

The policy will continue to be monitored through routine policy review and operational feedback to ensure that the Interests of Justice and special reason tests continue to be applied consistently and proportionately.

6.2. Note here how you intend to monitor the impact of this policy/practice/process/service on equality groups

Measure	Lead department or individual	Reporting (where and frequency)
Monitor trends in applications for Special Urgency cover in solemn criminal proceedings, including grant and refusal outcomes, to identify any emerging disparities affecting equality groups where data is available.	Criminal Legal Assistance with support from AMI.	Annually to Head of Criminal Legal Assistance through routine management reporting and policy review.
Review operational feedback relating to the	Criminal Legal Assistance and Policy & Development.	Through routine policy review processes and as issues arise.

Measure	Lead department or individual	Reporting (where and frequency)
application of Regulation 15 in solemn cases, particularly where equality, vulnerability or access to justice issues are identified.		
Keep available equality evidence, research and management information under review to identify any emerging impacts on equality groups and whether changes to policy or guidance are required.	Policy Officer (Equalities) and Criminal Legal Assistance.	At EqIA review stage and as new evidence becomes available.

6.3. EqIA review date

Should be reviewed as part of the post-implementation review of the policy/practice/process/service. The date should not exceed three years from the implementation date.

14/12/2029.

Step 7: Assessment sign off and approval

Director/SRO sign off: 29/09/2026.

Chief Executive approval: 29/09/2026.

All full EqIAs must be published on SLAB's website as early as possible after the decision is made to implement the policy/practice/process/service.