



## News release

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### **Report highlights importance of work to reform legal aid in Scotland**

The publication today of the Scottish Legal Aid Board's annual report for 2018-19 shows that the total cost to the taxpayer of legal assistance was £123.7m, down from £124.4m in the previous year.

The slight decrease masks some significant changes, such as the continuing fall in non-jury criminal legal aid applications - down by a further 5,500 on 2017-18 and costs down £2.1m.

The uptake of criminal legal aid for jury cases on the other hand increased, with an additional 950 applications received compared to the previous year.

The longer timescale for jury cases means that it will take some time for last year's rise in demand to result in increased expenditure.

Colin Lancaster, SLAB's Chief Executive, said the changes highlighted the importance of the Scottish Government's Expert Payment Advisory Panel and its recent consultation into what sort of legal aid system Scotland should have for the future.

"Publicly funded legal aid services assist around 2% of the Scottish population each year. This means that our existing legal aid system helps many thousands of people each year deal with a wide range of legal problems.

"The important work that solicitors and advocates do for each individual they assist has a significant positive impact not only for their clients but also for the wider justice system and Scottish society."

The government's consultation asks whether and how legal aid should be reshaped into a user focused public service.

Mr Lancaster said the bulk of services legal aid supports - 93% - are funded on a case by case basis, which means they are unplanned and untargeted. A more flexible system could help deliver services designed around user need and focused on achieving defined public policy outcomes.

"Our current mixed model legal aid system has considerable strengths on which to build. It combines untargeted, privately provided casework with targeted services that can be directed at areas that are less well served or which funders want to prioritise," he said.

"If the Scottish Government wish to move towards more of a public service model, the current mixed model could be strengthened so that the public could rely on each part working more closely together in a complementary way.

"Then people could draw on the most appropriate help and be referred, signposted or move between different types of providers and services as suits their needs."

The annual report details SLAB's activities in a range of areas during 2018-19, including:

- **Providing access to the Legal Aid Fund** - legal aid in Scotland remains demand led which means that nobody who meets the eligibility criteria is refused access to the Legal Aid Fund due to lack of funding. There were 202,000 grants of legal assistance made in 2018-19
- **Fee increases** - we reprioritised our resources to allow the necessary development of regulations and changes to our internal systems prior to the 3% fee increases in April 2019
- **Criminal fees** - we continued to develop proposals for reforms to the current system of criminal fees for advocates and solicitors. We engaged with the Faculty of Advocates, Society of Solicitor Advocates and Law Society of Scotland and, dependent on Scottish Government priorities, the proposals will be consulted on.
- **Organisational change** - we continued an internal change programme which is improving the way the current legal aid system operates and lays groundwork for any future reforms. As part of this we changed how we measure what we do and how well we do it. We now publish quarterly rather than annual information about our new approach to measuring performance.
- **Gauging our performance** - we took a new approach to obtaining feedback from solicitors through regular micro surveys to complement our fuller periodic solicitor surveys. Regular survey feedback, alongside other engagement with the profession, helps identify possible changes to how we work and monitors impact of changes.
- **Improved online service** - we delivered the last significant phase of our online accounts products. We worked with firms using the system to identify further improvements to the usability and functionality of the system and build on what is already a positive level of satisfaction with the system.

The annual report and additional documents, including key statistics, are available on our [website](#).

For more information, please contact our Communications team on: 0131 240 1887